

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1969

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 6, 1969



Vol. II

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1969

TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Thursday, July 24, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend William Prickett, Minister, Midway United Methodist Church, Adamsville, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Downing	Jones	Paulk
Adwell	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Garrett	Manley	Shumate
Bolton	Gloor	Marr	Slate
Bowers	Graham	Mathews	Smith
Brannan	Grainger	Mays	Snell
Brassell	Grayson	McCorquodale	Springer
Brown	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Burgreen	Harper	McLain	Stubbs
Cameron	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collins (W)	Headley	Melton	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Watkins
Cook (Jefferson)	Hill	Money	Weeks
Crane	Hobbie	Nettles	Williams
Crawford	Holladay	Neville	Wood
Culver	Holman	Owen (Baldwin)	Wright
Dill	House	Owens (W)	Yeilding
Dobbs	Jackson (F)	Owens (W.E.)	Young
Doss	Jackson (T)		

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

Yeas 61; Nays 3.

Yeas:

Mr. Speaker	Ellis	Lybrand	Robertson
Adwell	Fine	Lyons	Sessions
Agee	Foshee	Manley	Shumate
Bank	Gloor	Mays	Slate
Bassett	Graham	McCorquodale	Smith
Beck	Grainger	McDonald	Snell
Berryman (W)	Harper	McLain	Springer
Brassell	Headley	Meade	Steagall
Burgreen	Higginbotham	Melton	Stembridge
Cameron	Hobbie	Merrill	Stubbs
Crawford	Jackson (F)	Owens (W)	Tuck
Culver	Jones	Pearson	Weeks
Dobbs	Kilgore	Pennington	Williams
Doss	Laxson	Perloff	Wood
Downing	Lemley	Pruitt	Young
Drake			

—61

Nays: Messrs. Cook (Jefferson), Garrett and Jackson (T). —3

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 48. Mourning the death of Mrs. Mary L. Lindsey, mother of Senator W. H. Lindsey.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 90. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-second Legislative Day, taking precedence over any other business in the House on this day:

Report of Standing Committees

Senate Messages

Introduction of Bills

Uncontested Local Bills

HB 513, Page 77

SB 238, Page 104

HB 227, Page 66

HB 228, Page 66

HB 229, Page 66

HB 765, Page 60

HB 230, Page 66

HB 119, Page 34

HB 994, Page 100

HB 722, Page 100

HB 1004, Page 103

HB 525, Page 50

SB 79, Page 61

HB 301, Page 9

HB 302, Page 10

HB 303, Page 10

HB 660, Page 108

HB 414, Page 43

HB 803, Page 83

SB 212, Page 109

HB 533, Page 63

HB 870, Page 76

HB 108, Page 1

HB 261, Page 26

HB 733, Page 83

HB 735, Page 62

HB	534,	Page	25
HB	958,	Page	109
HB	400,	Page	94
HB	117,	Page	34
HB	728,	Page	65
HB	260,	Page	40
HB	57,	Page	4
HB	59,	Page	4
HB	142,	Page	13
HB	89,	Page	12
HB	515,	Page	54
HB	516,	Page	54
HB	517,	Page	84
HB	318,	Page	89
HB	649,	Page	97
HB	351,	Page	49
HB	422,	Page	36
HB	424,	Page	36
HB	588,	Page	27
HB	201,	Page	26
HB	749,	Page	64
HB	734,	Page	62
HB	418,	Page	44
HB	74,	Page	2
HB	377,	Page	65
HB	375,	Page	13
HB	811,	Page	68
HB	293,	Page	11
HB	339,	Page	11
SB	340,	Page	102
HB	18,	Page	3
HB	798,	Page	91
HB	1041,	Page	106
HB	8,	Page	53
HB	194,	Page	111
HB	478,	Page	30

HB 490, Page 29

HB 492, Page 29

HB 493, Page 29

HB 369, Page 75

HB 334, Page 32

HB 336, Page 32

And the resolution was adopted.

Yeas 54; Nays 3.

Yeas:

Mr. Speaker	Fine	Lyons	Slate
Agee	Foshee	Manley	Smith
Bassett	Graham	McCorquodale	Snell
Berryman (W)	Grainger	McElhaney	Springer
Brannan	Harper	Melton	Steagall
Brassell	Harris	Merrill	Stembridge
Burgess	Headley	Owens (W)	Stubbs
Burgreen	Higginbotham	Owens (W.E.)	Tuck
Cook (Coffee)	Hobbie	Pearson	Turnham
Crawford	Jackson (F)	Pennington	Weeks
Culver	Jones	Perloff	Williams
Doss	Laxson	Pruitt	Wood
Downing	Lemley	Shumate	Young
Edington	Lybrand		

—54

Nays: Messrs. Brown, Cook (Jefferson) and Jackson (T).

—3

Also:

By Mr. Edington:

H. J. R. 91. WHEREAS, Honorable Joe Alex Killian, the former Director of the International Trade Center at the Port of Mobile, departed this life on July the 18th, 1969 in his 46th year; and

WHEREAS, Mr. Killian was a native of Salem, Alabama, a graduate of Auburn University and the Foreign Trade Institute, Phoenix, Arizona, and, for 12 years served with distinction as Director of Public Relations at the Alabama State Docks; and

WHEREAS, During his service in that position, he successfully developed the idea for and supervised the completion of the International Trade Center and served as its first director, after which he became Director of Communications for the Port of Baltimore, Maryland, in which position he was serving at the time of his death; and

WHEREAS, Mr. Killian's service in the area of International Trade has been most outstanding, in that, among other things, he organized Alabama's first Overseas Trade Mission, which venture was so successful that it has been repeated each year; and

WHEREAS, During his residence in Mobile, Mr. Killian served with distinction as Consul of the Republic of Colombia, and as Secretary of the Consular Corps during which time he was instrumental in enlarging Consular representation in Mobile and was personally conducting classes in foreign languages and foreign affairs in Mobile; and

WHEREAS, Joe Killian dedicated his life to the development of this country's foreign trade and to the promotion of good will among men of all nations; and

WHEREAS, He is now and will always be sorely missed by his innumerable friends throughout the world:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the untimely death of Honorable Joe Alex Killian is recorded with deepest regret; that this legislature hereby expresses, on behalf of the people of Alabama, its sympathy and condolences to Mr. Killian's family and that a duly executed copy of this resolution be forwarded to them.

On motion of Mr. Edington, the rules were suspended and H. J. R. 91 was adopted.

LEAVE OF ABSENCE

On motion of Mr. Edington, leave of absence was granted to Mrs. Collins (C) due to her son returning from Viet Nam.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 612. To amend Code of Alabama 1940, Title 30, Section 64, in order to authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

H. 850. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitution and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 947 (with substitute). To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1015. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

H. 1086. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

H. 1087. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 12 (with substitute). Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

The above bill was read a second time at length as required by the Constitution.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 387. To provide individuals with additional methods and rates in determining a reasonable allowance for the exhaustion, wear and tear of property from which any income is derived, including a reasonable allowance for obsolescence; to provide individuals with an additional first-year allowance for the exhaustion, wear and tear of property from which any income is derived, including an allowance for obsolescence.

H. 388. To provide corporations doing business in Alabama with additional methods and rates in determining a reasonable allowance for the exhaustion, wear and tear of property from which any income is derived, including a reasonable allowance for obsolescence; to provide corporations doing business in Alabama with an additional first-year allowance for the exhaustion, wear and tear of property from which any income is derived, including an allowance for obsolescence.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 846 (with amendment). To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages

that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars (\$100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 990. To amend Section 6 of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to provide that if at any time any corporation organized thereunder or whose certificate of incorporation has been amended thereunder (regardless of whether it has ever issued any bonds) does not have any bonds outstanding, its Board of Directors may adopt a resolution declaring that such corporation shall be dissolved and that upon the filing for record of a certified copy of such resolution in the office of the Judge of Probate of the county wherein the certificate of incorporation of such corporation was filed, such corporation shall stand dissolved and title to any property and assets then owned by it shall (except as otherwise provided in Section 7 of said Act No. 175) vest in the municipality which authorized its incorporation.

H. 955. Requiring the Bureau of Child Welfare of the Department of Pensions & Security to file quarterly reports with the Judge of Probate of the County in which any child is located in which the Department is acting as legal custodian. If the child is being held for adoption, the report must show the length of time each child has been in the custody of the Department and the reasons, if any, why the child has not been placed for adoption.

H. 956. To amend further Section 334, Title 55, Code of Alabama 1940, as amended, relating to the powers and jurisdiction of the board of adjustment; so as to increase the power, jurisdiction and duties of said board with respect to claims for injury or death of students enrolled in certain classes.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and was read a second time and placed on the Calendar, to-wit:

H. 996 (with substitute). To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe

the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 50. To amend Code of Alabama 1940, Title 36, Sections 1 and 36, as amended, so as to define further the term "authorized emergency vehicle," and to regulate the use of horns and warning devices on certain types of such vehicles.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 356 (with amendments). To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1073. To amend Section 3 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq) which fixes, levies, and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 961. To prohibit the use of public state funds for the purposes of conducting courses of study in sex education in the public schools of the State of Alabama, to otherwise provide with reference to courses

of study in sex education in the public schools of the State of Alabama, and to provide with respect thereto.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 721 (with amendment). To amend Section 3 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

H. 1069 (with amendment). To prohibit charging and collection of certain fees when an arrest is made by an officer of the conservation department for violation of game, fish and water safety laws and regulations promulgated thereunder.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 720. To amend Section 6(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation

of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

H. 719. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat livery; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Mr. Hain, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 430. Relating to the Fourth Judicial Circuit; providing for an additional circuit court judge in such circuit, and for the designation by number of the associate judgeships in such circuit.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 480. To prohibit any person falsely personating a law enforcement or peace officer and to provide penalties therefor.

H. 992. To require state, county and municipal law enforcement officers to be identified as such when they stop a motor vehicle for a traffic violation.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 736. To amend Act No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, in relation to the qualifications of the Judge of the court.

H. 879. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 923 (with amendment). Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office; making further provisions respecting the number and employment of deputies and assistants for such officer; providing for their compensation; and repealing conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 924. To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

H. 925. To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court cost for such purpose.

H. 926. Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 928 (with amendment). To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 932. To amend Section 4 of Act No. 30, S. 5, Regular Session 1963 (Acts 1963, p. 404), an act to establish the County Court of Marshall County, so as to increase the salary of the judge of said court.

H. 949. Relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein perscribed, for the use of any non-profit volunteer rescue squad operating within the county.

H. 972. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

H. 973. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

H. 1018. Relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

H. 1021. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

H. 1022. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

H. 1033. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties.

H. 1065. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

H. 1072. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

H. 1085. To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

H. 1090. Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court, in Equity, and for payment of such clerk's salary by the county.

H. 1091. Relating to counties having populations of 10,800 or less, according to the last or any subsequent federal decennial census; to fix the compensation of the county solicitor in such counties; to repeal conflicting laws.

H. 1094. Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act.

H. 1095. Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

H. 1096. Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

H. 1098. To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1074. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective and subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

H. 1075. To amend further Section 18 of Title 19, of the Code of Alabama of 1940, as heretofore amended by an Act entitled "An Act to amend Section 18 of Title 19 of the Code of Alabama of 1940," Act No. 758, Regular Session of the Legislature of Alabama 1953, (Acts of 1953, Vol. 2, Pages 1020 and 1021), so as to provide for the exemption of cities having a population of three hundred thousand inhabitants or more ac-

cording to the last or any subsequent federal census, from posting bond for right of entry in condemnation appeals from probate court to circuit court.

H. 1076. Relating to Jefferson County; providing for the disposal by the county purchasing agent, or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

H. 1077. To further amend Section 9 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

H. 1078. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, in which said city there shall have been or hereafter shall be created a public building corporation as provided for in Act Number 493, 1955 Acts of Alabama, as now or hereafter amended, to lease or convey to such public building corporation any property which shall have been acquired by such public building corporation as a result of any "Project" after the bonds have been paid in full, notwithstanding Section 21 of said Act Number 493, as same may have been or may hereafter be amended.

H. 1079. To further amend Section 23 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 (Ala. Acts, 1951, p. 1579 et seq.), which created for each city having a population of two hundred and fifty thousand (250,000) or more, according to the last or any succeeding federal census, a pension and relief or retirement system for officers and employees of such city.

H. 1080. To authorize any County of this State having a population of 500,000 or more, according to the last or any subsequent Federal Census, to reimburse any officer, agent or employee of the County for any taxes which another State, or any County, municipality or political subdivision thereof, exacts from, or charges, such officer, agent or employee when he obtains in such other State lodging, or other facilities or items, which it is necessary for him to obtain in the performance of his duties for the County.

H. 1081. Relating to counties having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census; to provide for additional times when real property may be returned and valued for ad valorem tax purposes.

H. 1082. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policemen's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

H. 1083. To amend further the title, subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which established a pension system for the officers and employees of Jefferson County, Alabama.

H. 1093 RE-REFERRED

On motion of Mr. Watkins, the bill, H. 1093, was re-referred from the Standing Committee on Business and Labor to the Standing Committee on Local Legislation No. 2.

Yeas 45; Nays 5.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hobbie	Neville
Agee	Dill	Holman	Owens (W.E.)
Bank	Edington	House	Paulk
Bassett	Ellis	Jackson (F)	Pearson
Beck	Fine	Jackson (T)	Sessions
Berryman (W)	Foshee	Kilgore	Springer
Bowers	Gloor	Laxson	Stembridge
Brannan	Graham	Lemley	Waggoner
Brassell	Grayson	Malone	Watkins
Burgreen	Harris	Mays	Yeilding
Cherner	Headley	Money	Young
Cook (Coffee)			

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Nays:

Messrs.:	Downing	Marr	Melton
Collins (W)	Gafford		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McCarley and Giles:

S. J. R. 44. WHEREAS, Dr. Wernher Von Braun, numerous other Alabamians and several Alabama contractors and subcontractors have made significant contributions to the Apollo program designed shortly to place man on the moon.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That this body commends Dr. Von Braun and the many other Alabamians participating in this extraordinary undertaking; and

RESOLVED FURTHER, that the members of this body salute Blount Brothers Construction Company of Montgomery, Ingalls Iron Works, Hayes International Corporation, Rust Engineering Company, United States Steel's American Bridge Division and Southern Research Institute of Birmingham, Brown Engineering Company, International Business Machines, Heat Technology Laboratory, SPACO and Astro-Space Laboratories of Huntsville and all other Alabama contractors and subcontractors for their part in the Apollo program.

RESOLVED FURTHER, that copies of this resolution shall be sent to Dr. Von Braun and the contractors and sub-contractors listed above.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Laxson, the rules were suspended and the House concurred in and adopted the S. J. R. 44 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Skidmore:

S. J. R. 43. WHEREAS it has been learned with deep sorrow of the passing of Mr. Preston Payne of Tuscaloosa, Alabama on July 7, 1969; and

WHEREAS Mr. Payne, who was a Justice of the Peace for Beat 16, was a man well known for his fairness and many kind and thoughtful considerations of others. He leaves many friends to mourn his loss who will long remember and value his friendship; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mr. Payne and extend our heartfelt sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brown, the rules were suspended and the House concurred in and adopted the S. J. R. 43 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwyn and Pierce:

S. J. R. 40. WHEREAS, the Congress of the United States has under consideration several proposed plans which would limit the exempt status for income tax purposes of interest paid on bonds issued by state and local governments; and

WHEREAS, among those suggestions under consideration by the Congress are proposals which would (1) include interest paid on state and local bonds in the base income for a proposed minimum income tax, (2) require allocation of deductions between taxable income and income from interest paid on state and local government bonds, (3) include interest paid on state and local bonds among income which would have tax preference limitations, and (4) provide a guaranty subsidy in exchange for the surrender of all or part of such traditional tax exemption; and

WHEREAS, it has long been considered unconstitutional for the Federal government to tax a state or local government; and

WHEREAS, any of the foregoing plans or any other plan which would directly or indirectly tax interest paid on state or local government bonds would be an impairment of such constitutional immunity; and

WHEREAS, any limitation on tax exemption of interest paid on state and local bonds would result in higher interest rates to be paid by state and local governments in their borrowing; and

WHEREAS, any increase in cost of borrowing is paid directly by the taxpayers of the community borrowing or by the users of publicly owned facilities; and

WHEREAS, any limitation on tax exemption of interest paid on state and local bonds would limit the market for such bonds; and

WHEREAS, any limitation of the market in which state and local bonds are sold would handicap state and local governments in providing funds for urgently needed public improvements; now, therefore be it

RESOLVED by the Senate, the House concurring, that the Legislature of Alabama by this resolution expresses its opposition to any plan by the Congress of the United States that would in any way limit the tax exempt status of interest paid on bonds issued by state and local governments; and be it further

RESOLVED, That upon adoption of this resolution, copies of the same be delivered forthwith to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and each member of Congress from the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Springer the rules were suspended and the House concurred in and adopted the S. J. R. 40 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dominick, Hawkins, Vacca, Bailes, Morrow, Childs, Gilmore:

A RESOLUTION IN MEMORY OF PATROLMAN KENNETH L. SPENCER, JR.

S. J. R. 41. WHEREAS, on July 13, 1969, Kenneth L. Spencer, Jr., a patrolman of the Police Department of the City of Birmingham, born July 21, 1942, in Greenfield, Massachusetts, was on an extra duty assignment at an integrated public swimming pool at Charles A. Harris Park in Ensley, Birmingham, Alabama, for the purpose of maintaining law and order for the protection of those using the pool, particularly children and youths;

WHEREAS, Patrolman Spencer, while attempting to arrest a 23 year old Negro, with a record of convictions for robbery and assault

with intent to murder, who was creating a disturbance at the pool, was attacked by the previously convicted trouble maker, and in the ensuing encounter was shot at point blank range and killed with his own service revolver.

WHEREAS, Patrolman Spencer lost his life in an effort to protect the youth and children using the pool, incidentally all Negro, and thus lost his life upholding the long tradition of the Birmingham Police Department of maintaining law and order and protecting the lives of all citizens of the community, without regard to race, color or creed;

WHEREAS, Patrolman Spencer is to be highly commended for his courageous behavior on the occasion;

WHEREAS, the Legislature deplores the conditions which contributed to the untimely death of this fine young police officer;

WHEREAS, Patrolman Spencer was survived by a wife, a young son, residents of Birmingham, and by his parents, three sisters and four brothers, all residents of the State of California.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, as follows:

1. The Legislature recognizes the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr., a casualty in the never ending war against crime and violence.

2. The citizens of Alabama mourn the loss of Patrolman Spencer, deplore his untimely death, and express their deep and sincere sympathy to the members of his family.

3. The attention of the people of Alabama is called to this sacrificial service in the line of duty, another example of the dedicated work of police officers in the City of Birmingham and all over the nation, in their day to day battle to maintain law and order in the face of growing threats from criminals, hoodlums, radicals and disturbers of the peace.

4. A copy of this resolution shall be sent to the members of Patrolman Spencer's family, viz:

His wife, Mrs. Ann Spencer and his son, Edward Lee Spencer, 309—19th Street, S. W., Birmingham, Alabama.

His parents, Mr. and Mrs. Kenneth L. Spencer, Ridge Crest, California.

His sisters, Mrs. Rick Butler and Mrs. Donald Tippits of Watsonville, California, and Miss Debbie Spencer of Ridge Crest, California.

His brothers, Douglas Spencer of Watsonville, California, and Larry Spencer, George Spencer, Bobby Spencer of Ridge Crest, California.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Messrs. Ellis and Watkins, the rules were suspended and the House concurred in and adopted the S. J. R. 41 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 81. Mourning the tragic death of Patrolman Kenneth L. Spencer, Jr., of Birmingham.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 83. Congratulating the Bass Anglers Sportsman Society under the leadership of its president, Mr. Ray Scott, on the success of the recent National Bass Tournament at Lake Eufaula.

Also:

H. J. R. 73. Designating the classroom building at Yancey State Junior College in Bay Minette "Ernest Stone Hall".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell, the House concurred in and adopted the Senate amendment to the bill, H. 700, said Senate amendment being as follows:

In Section 1, strike out the period at the end of the first sentence and insert in lieu thereof the following: within any such county.

Also, in said Section 1, strike out the period at the end of the next to the last sentence in said section and insert in lieu thereof the following: for necessary duties within any such county.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Owens (W)
Agee	Downing	Laxson	Paulk
Bank	Edington	Lemley	Pearson
Beck	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Brannan	Garrett	Malone	Shumate
Brassell	Grainger	Marr	Slate
Burgreen	Grayson	Mays	Springer
Cameron	Harper	Meade	Steagall
Cook (Coffee)	Holman	Melton	Tuck
Crawford	Jackson (F)	Merrill	Weeks
Culver	Jackson (T)	Money	Williams
Dobbs	Jones	Nettles	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell, the House concurred in and adopted the Senate amendment to the bill, H. 703, said Senate amendment being as follows:

In Section 1, insert immediately after the first sentence the following: Such allowances shall be for expenses incurred in the performance of such officers' regular duties within any such city.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Nettles
Agee	Doss	Jackson (T)	Owens (W)
Bassett	Downing	Jones	Paulk
Beck	Edington	Kilgore	Pearson
Berryman (W)	Ellis	Laxson	Perloff
Blanton	Fine	Lemley	Pruitt
Brannan	Foshee	Lybrand	Shumate
Brassell	Graham	Malone	Slate
Burgreen	Grainger	Marr	Steagall
Cameron	Grayson	Mays	Stembridge
Cook (Coffee)	Hain	Meade	Tuck
Crane	Harper	Melton	Weeks
Crawford	Holman	Merrill	Williams
Culver	House	Money	Young

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RECESS

On motion of Mr. Slate, the House recessed for twenty minutes, until 12:05 o'clock P. M.

HOUSE RECONVENES

The hour of 12:05 P.M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

Also:

By Mr. Jackson:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

Also:

By Messrs. Pierce and Goodwyn:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Also:

By Mr. Folsom:

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous, thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Good Hope, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Good Hope, Alabama, and in addition thereto the following described territory, to-wit:

Tract I The Southwest Quarter of the Southeast Quarter, Section 29, Township 10 South, Range 3 West. Also: The North One-Half of the Northeast Quarter, Section 32, Township 10 South, Range 3 West.

Tract II The Southwest Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 3 West.

Tract III Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 33, Township 10 South, Range 3 West.

Tract IV The Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 5, Township 11 South, Range 3 West.

Tract V The East Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 11 South, Range 3 West.

Tract VI The Southwest Quarter of the Southwest Quarter of Section 8, Township 11 South, Range 3 West. Also: The South One-Half of the Southeast Quarter of the Southeast Quarter of Section 7, Township 11 South, Range 3 West.

Tract VII The Northeast Quarter and the East One-Half of the Southeast Quarter of the Northwest Quarter in Section 17, Township 11 South, Range 3 West.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, 16, 23, 30, 1968.

ROBERT BRYAN,
Publisher.

Dated this the 18th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

Also:

By Mr. Jackson:

S. 582. To propose a constitutional amendment relative to levying additional taxes in Baldwin County for public school purposes.

Also:

By Mr. Skidmore:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

Also:

By Mr. Skidmore:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Also:

By Mr. Skidmore:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Also:

By Mr. Leonard:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 547. Local Legislation No. 1.

S. 535. Local Legislation No. 1.

S. 573. Local Legislation No. 4.

S. 572. Local Legislation No. 1.

SENATE MESSAGE

The Senate Bill, S. 582, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 624. Local Legislation No. 1.
- S. 625. Local Legislation No. 1.
- S. 623. Local Legislation No. 1.
- S. 602. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lolley:

S. 612. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

A BILL
TO BE ENTITLED
AN ACT

To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established the Inferior Court of Pike County with jurisdiction coextensive with the county of criminal and civil matters as hereinafter provided.

Section 2. (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand Dollars (\$1,000.00) and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved,) heretofore, cognizable before the County Court, Juvenile Court and Justices of the Peace. It

shall have authority to punish contempt by fine not exceeding \$50.00 or a term in the county jail not exceeding five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions or ejectment or of any matter or proceeding cognizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosecution shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate (including a Justice of the Peace), or public official of Pike County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises the jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Pike County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Pike County and shall be governed by the provisions of Sections 362, 371 and 372 of Title 13, and Sections 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Pike County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The County Court of Pike County and the Juvenile Court of Pike County are abolished. All criminal and quasi criminal jurisdiction of Justices of the Peace in Pike County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Pike County.

(g) In any civil action pending in the Inferior Court of Pike County, if the defendant files a plea of set off or recoupment claiming an amount in excess of \$1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Pike County where the same shall proceed as if originally commenced therein.

(h) The Inferior Court of Pike County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3. (a) The judge of the Inferior Court of Pike County shall be appointed by the Court of County Commissioners of Pike County, to hold office until September 30, 1970; his successors shall be appointed for terms of four years each beginning October 1, 1970 and every four years thereafter, by resolution of the Court of County Commissioners not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge. No person shall be eligible to appointment as Judge of the Inferior Court of Pike County who is not learned in the law and a qualified elector of Pike County. The judge, shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of

the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Court of County Commissioners of Pike County, such appointment to be for the unexpired term.

Section 4. (a) The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the judges of Circuit Courts at law; (2) administer oaths and take acknowledgments; (3) issue search warrants; (4) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provide, at the expense of the County, with such office supplies, stationary, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of Four Thousand, Eight Hundred Dollars (4,800.00), payable out of the general fund of the county in equal monthly installments.

Section 5. (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Tuesday in each month at the Courthouse for the trial of criminal cases, and on the first Thursday in each month at the Court House for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person or by deputy and shall attend other sessions when requested by the judge and shall receive the same compensation therefor for which he is now allowed for attending sessions of the County Court. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the Judge.

Section 6. In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7. All cases in the Inferior Court of Pike County shall be tried and all issues of fact decided by the judge without the intervention of a jury.

Section 8. In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in such actions in the circuit court, except that there shall be taxed as clerk's fees the sum of \$8.00 in each case, such fee to include services in garnishments or judgments in such cases; and in all criminal cases the same fees and commissions for the services of the clerk, sheriff, solicitor and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in the county courts; provided, however, that in criminal cases involving violations of the Rules of the Road or statutes governing the operation of vehicles on public highways or game and fish laws, the clerk shall receive in lieu of all other fees the sum of \$3.00 plus commissions, and, in such case, where the defendant pleads guilty, no solicitors fee and no trial tax other than fair trial tax

Section 9. The County Solicitor shall be taxed or collected. tor or Deputy District Attorney shall prosecute for the State all criminal cases commenced in said court.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as provided by law with respect to judgments rendered by the circuit court.

Section 11. (a) The Clerk of the Circuit Court of Pike County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Pike County shall be ex officio a deputy clerk of the Inferior Court of Pike County. The clerk shall have authority to requisition at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases; (3) to fix bail and approve bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals; (6) to issue certificates of judgment, and (7) to exercise all power and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 12. All cases and actions pending in the County Court of Pike County and in the Juvenile Court of Pike County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. The Inferior Court of Pike County shall have the same jurisdiction to enforce judgments heretofore rendered by the County Court of Pike County and the juvenile Court of Pike County and all judgments in criminal cases heretofore rendered by Justices of the Peace in Pike County in all respect as though the judgments had been rendered by it. This act shall not apply to nor affect any criminal or quasi criminal case pending in any Justice of the Peace Court of the county on the effective date hereof.

Section 13. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. All laws in conflict with this Act are to the extent of the conflict, repealed.

Section 15. This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill—

Establish inferior court was published in said newspaper 4 times, the same appearing in the issues dated: June 6, 13, 20, 27.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 7 day of July, 1969.

MAURINE BRYAN,
Notary Public, Pike County, Ala.

Also:

By Mr. Adams:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish an inferior court of record of law and equity in Houston County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedures of said Court; to provide for the distribution of fines and forfeitures in certain cases; to provide for the transfer of certain causes now or hereafter pending in the Law and Equity Court of Houston County, Alabama and to abolish the Law and Equity Court of Houston County, Alabama, repealing Act No. 210, H. 479, Regular Session 1965, as amended, and all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Houston County a court with limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final records in all cases except cases cognizable before justices of the peace. The Court shall be known as the Houston County Court and it shall replace the Law and Equity Court of Houston County established by Act No. 210, H. 479, Regular Session 1965, which court is hereby abolished.

Section 2. All cases and actions pending in the Law and Equity Court of Houston County on the effective date of this Act shall be transferred in the Court hereby created and shall proceed as though begun therein. As to judgments rendered by the abolished court (and

judgments it had the power to control), the Houston County Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (a) Except as provided in subsection (b), of this subsection, the Houston County Court shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer, actions for the recovery of possession of land, cases of desertion, and non-support instituted by virtue of Article 3, Chapter 4, Title 34, Code of Alabama (1940), and cases involving juveniles arising under the provisions of Chapter 7, Title 13, Code of Alabama (1940), which are cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars (\$50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The Court shall not have power to try persons charged with felonies. (\$2,000.00), nor take cognizance of any civil action when the matter or sum in controversy exceeds two thousand dollars (\$2,000.00), not take cognizance of any matter or proceeding in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 5. The Houston County Court shall have four divisions, namely, law, equity, criminal and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, defendant shall appear and plead, answer or demur thereto within twenty days. In suits in equity the defendant shall have thirty days after the perfection of service on him in which to plead, answer or demur. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the Clerk

of the court, or the deputy clerks of the court, or the assistant District Attorneys for Houston County), who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) A county or assistant District Attorney (for Houston County) shall prosecute for the State all criminal cases commenced in such court. The assistant District Attorneys shall be paid a salary, the amount to be determined by the District Attorney, which salary shall not exceed \$200.00 for each month for the aggregate of all assistant District Attorneys. This sum shall be in addition to all sums now being paid assistant District Attorneys.

Section 7. (a) The Houston County Court shall be open at all times for the transaction of business. Sessions of the Court shall be held at the county courthouse at such times as the judge shall designate by orders spread upon the minutes of the court. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(b) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a Circuit Court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (5) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(c) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred (\$100). In every other civil action at law, in every suit in equity, and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Houston County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Houston County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), except that if the judgment of the court is for fifty dollars (\$50) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if judgment is for more than fifty dollars (\$50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

(3) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code.

(4) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act, the Governor shall commission Hon. Don P. Bennett as Judge of the Houston County Court and the said Don P. Bennett shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Houston County, learned in the law, and has been licensed to practice law in this State for five

years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary equal to an amount of \$500.00 less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and no exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitable equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars (\$50.00) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. (a) The circuit clerk of Houston County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established; and the clerk may appoint a chief deputy clerk which shall be in addition to the chief deputy clerk of the circuit (and not the same person) who shall have all the power and authority that is herein given to the clerk. The judge shall appoint a clerk of the juvenile division who shall also act as a secretary to the judge. In addition to all bonds required of them, the clerk shall make bond in the sum of \$10,000; the register \$2,000.00, and the clerk of the juvenile division \$2,000.00. The clerk of the juvenile division shall be paid a monthly salary of not less than \$300.00 per month nor more than \$500.00 and shall start at \$300.00 per month and may be raised by the judge of the court as he deems it expedient. In addition to their regular compensation, the clerk and register each shall receive for such services the sum of \$2,400.00 annually, which sum shall be payable in equal monthly installments. All salaries referred to in this Section 12 (a) shall be paid from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk, register and clerk of the juvenile division, respectively, to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk, register, and clerk of the juvenile division, respectively, shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may hereafter conferred on clerks and registers of the circuit courts.

(d) The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefore is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive an amount equal to the amount paid reporters in Circuit Courts for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits, when they request such, for making a transcript of evidence taken by such reporter the same amount that he would be entitled to as a reporter in circuit court. He shall be required to keep his notes and records for public use and inspection. In all cases reported by the reporter there shall be taxed as part of the costs of the case a fee equal to a circuit court reporter's fee for each day or fraction thereof that such reporter shall be engaged in reporting the case, to be collected as costs as in other cases, and when collected paid into the county treasury of Houston County, Alabama.

Section 13. Act No. 210, H. 479, Regular Session of 1965 (Acts of Alabama 1965, Vol. 1 p. 289) and all acts amendatory thereof, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall take effect on the first of the month next following the date of its enactment.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, May 2, 9, 16, 23, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of May, 1969.

EUGENE McCLINTIC,
Notary Public.

Also:

By Mr. Folsom:

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the

corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Tract 1: Southwest Quarter of Southeast Quarter of Section 34, Ts. 9 S, Range 3 West, which is also known as Lot Number 25 of F. J. Crampton Addition to City of Cullman.

Northwest quarter of Northeast quarter of Section 3, Ts. 10 S, Range 3 West, which is also known as Lot Number 26 of F. J. Crampton Addition to City of Cullman, Alabama.

Southwest Quarter of Northeast Quarter of Section 3, Ts 10 S, Range 3 West. A part of this forty has been plotted and designated as Tanglewood Subdivision to City of Cullman.

Northwest Quarter of Southeast Quarter of Section 3, Ts. 10 S, Range 3 West.

All being in Cullman County, State of Alabama.

Tract II: The Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

Four Hundred feet of even width off of and across the East side of the Southwest Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

All that part of Northwest Quarter of Southeast Quarter and of the Northeast Quarter of the Southwest Quarter, Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278; and

A part of the Northwest Quarter of the Southwest Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at the Northeast Corner of said forty; thence West along the North forty line 400 feet; thence South 480 feet along a line parallel to and 400 feet West of the East forty line to a point on the South R-O-W of Highway 278; thence North and East along said R-O-W to a point on the East line of said forty; thence North along the East forty line back to the point of beginning; and

A part of the Southeast Quarter of Northeast Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at intersection of the North R-O-W of Highway 278 and the East line of said forty; thence North along the East forty line 25 feet; thence West along a line parallel to and 25 feet North of the North R-O-W of Highway 278 to a point on the West forty line; thence South along the West Forty line 25 feet to a point on the North R-O-W of Highway 278; thence East along the North R-O-W of Highway 278 back to the point of beginning; and also

All that part of the Northeast Quarter of the Southeast Quarter of Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278.

All being in Cullman County, State of Alabama.

Tract III: A part of Southeast Quarter of Southeast Quarter and of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3 West, described as follows, to-wit: Beginning at Northeast corner of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3 West; thence running West along forty line 176 feet; thence turning an angle of 89° 54' and running South 550 feet to point on South line of Lake David Drive; thence East along South line of Lake David Drive 176 feet to point on East line of said forty; thence continuing East approximately 604 feet along South line of Lake David Drive into the Southeast Quarter of Southeast Quarter of Section 5, Ts. 10 S, Range 3 West and across Highway 157 to point on present corporate limits of City of Cullman being on the East R-O-W of Highway 157; thence North along said corporate limits and East R-O-W approximately 600 feet to a point on the North line of said forty; thence West along said North forty line approximately 375 feet back to point of beginning. Including within this description Lots 1 through 13 inclusive of the Ragsdale Subdivision as shown on plat thereof in the Probate Office of Cullman County, Alabama, and other lands.

All being in Cullman County, State of Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, June 15, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

Also:

By Mr. Folsom:

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Beginning at the Northwest corner of the Northeast Quarter of Section 5, Ts. 10 S, Range 3 West; thence South 800 feet; thence East 600 feet to a point on existing Cullman Corporate limits; thence Northwest along the existing Cullman Corporate limits approximately 600 feet; thence Northeast along the existing corporate approximately 600 feet to a point on the present Cullman Corporate limits, being on North boundary of State Highway right-of-way; thence West along the State Highway right-of-way to point of intersection with the West boundary of the Southeast Quarter of Section 32, Ts. 9 S, Range 3 West; thence South along the West boundary of the said quarter section a distance of 90 feet, more or less to the Southwest corner of said quarter section, being also the point of beginning of the land herein described; and

The North half of the Northwest Quarter of Section 5, Ts. 10 S, Range 3 West; and

The South half of the Southwest Quarter of Section 32, Ts. 9 S, Range 3 West; and

Two hundred feet of even width off of and across the east side of the Southeast Quarter of the Southeast Quarter of Section 31, Ts. 9 S, Range 3 West; and

Two hundred feet of even width off of and across the East side of the Northeast Quarter of the Northeast Quarter of Section 6, Ts. 10 S, Range 3 West.

All being in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

Also:

By Mr. Carr:

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

By Messrs. Goodwyn and Pierce:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 612. Local Legislation No. 1.
- S. 537. Local Legislation No. 1.
- S. 611. Local Legislation No. 1.
- S. 610. Local Legislation No. 1.
- S. 596. Local Legislation No. 1.
- S. 618. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lolley:

S. 631. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have, in addition to the jurisdiction now authorized by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than \$1,500.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen B. Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing June 13, 1969, and ending July 3, 1969, Witness my hand this 3 day of July, 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 3 day of July, 1963.

MARY C. DAUGHTRY,
Notary Public.

Also:

By Mr. Radney:

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue or other like governing body of Tallapoosa County shall receive a salary of \$500 per month and an expense and travel allowance of \$300 per month. Such salary and expense allowance shall be in lieu of all fees and allowances, including mileage, heretofore allowed by law to such commissioners.

Section 2. Nothing in this Act shall be construed to affect the compensation of the judge of probate of Tallapoosa County.

Section 3. The provisions of Section 3 of Act No. 623, H. 1006 of the 1959 Regular Session (Acts, 1959, p. 1527) and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me July 3, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

Also:

By Mr. Radney:

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the chief deputy sheriff in Tallapoosa County shall be not less than \$425 nor more than \$525 per month, and the salaries of one additional deputy in Alexander City and all other deputy sheriffs now authorized by law shall be not less than \$400 nor more than \$500 per month. All such salaries shall be fixed at the discretion of the court of county commissioners, and shall be paid in the same manner and out of the same fund as now provided by law.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. Act. No. 42, H. 237 of the Regular Session of 1965 (Acts 1965, Regular Session, p. 59) and all other laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

Sworn to and subscribed before me July 3, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

Also:

By Mr. Harris:

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

With notice and proof thereto attached and herewith exhibited as follows.

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 355, H. 757, Regular session 1953, (Acts 1953, p. 423) which relates to the office of sheriff of Limestone County is hereby amended to read as follows:

"Section 1. The sheriff of Limestone County shall be compensated on a fee basis and shall be entitled to all fees, percentages, and allowances provided for sheriffs under the general laws of the State of Alabama."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1969.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me June 5, 1969.

LOLA L. ORR,
Notary Public.

Also:

By Messrs. Radney and McCarley:

S. 601. To provide for an expense allowance for each of the Circuit Judges of all Judicial Circuits in this State composed of three (3) Counties, with two (2) Circuit Judges, and having a total population of not less than 70,000 or more than 79,999 according to the last or any subsequent Federal decennial census; and providing for the payment of such expense allowance out of the General Funds of the counties composing such Judicial Circuit.

Also:

By Mr. Harris:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

Also:

By Mr. Harris:

S. 544. To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Also:

By Mr. Harris:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairmen of the county governing body.

Also:

By Messrs. Engel and McDermott:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

By Mr. Torbert:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

Also:

By Mr. Torbert:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 631. Local Legislation No. 1.
- S. 628. Local Legislation No. 1.
- S. 629. Local Legislation No. 1.
- S. 638. Local Legislation No. 1.
- S. 601. Local Legislation No. 1.
- S. 538. Local Legislation No. 1.
- S. 544. Local Legislation No. 1.
- S. 539. Local Legislation No. 1.
- S. 615. Local Legislation No. 1.
- S. 635. Local Legislation No. 1.
- S. 636. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Leonard:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

Also:

By Mr. Turner:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Also:

By Mr. Turner:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Also:

By Mr. Turner:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 48. Judiciary.
- S. 109. Ways and Means.
- S. 278. State Administration.
- S. 337. Transportation.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Pennington, Grainger, Jones, Laxson, McLain and Ellis:

H. J. R. 92. WHEREAS, all Alabamians join people throughout the world in pride and gratitude upon the successful journey to the moon and back of American astronauts; and

WHEREAS, a distinguished Alabamian, Dr. Wernher Von Braun, has led the development of rocketry from its infancy to the Cosmic Age and has achieved international renown as the world's greatest rocket development leader since he and his team of rocket experts moved to Huntsville in the early 1950's. Dr. Von Braun demonstrated his ability in the field of rocketry as a teenager in his native Germany and since coming to America in 1945 has become a valued citizen of the United States. His technical knowledge and administrative ability are primarily responsible for the unparalleled success of the Apollo program. Under his direction, the Marshall Space Flight Center at Huntsville has developed the huge Saturn launch vehicles which have made it possible for man to free himself from his own gravitation and to realize the dreams of man from throughout the ages by going to the moon. No American has made a greater contribution toward this country's realization of its eight-year national commitment to become first in space than has Dr. Von Braun. His magnetic personality and his phenomenal direction of the world's leading space scientists in accomplishing this greatest scientific achievement of all time have earned for him the well-deserved admiration and acclaim of all citizens; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body would be indeed honored to have Dr. Von Braun address the House and Senate in joint assembly.

RESOLVED FURTHER, that Dr. Von Braun be invited to address the Legislature on Tuesday, July 29, 1969, at 2:15 p.m. in the House Chamber, and that his long time good friend, the Honorable Albert P. Brewer, Governor of Alabama, be invited to introduce him.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 92 was adopted.

Also:

By Messrs. Grainger, Pennington, McLain, Jones and Laxson:

H. J. R. 93. WHEREAS, Major General Charles W. Eifler, Commanding General of the Army Missile Command at Redstone Arsenal, has been reassigned to Europe as Deputy Commander of the U.S. Army Europe and the Seventh Army, and has been recommended by President Nixon for promotion to Lieutenant General, which promotion and transfer has been sent to the U.S. Senate for conformation, and

WHEREAS, General Eifler, who has served Redstone Arsenal on two occasions in an outstanding and honorable manner, is only the

second officer selected to move up to a three-star post from Redstone Arsenal, and the first to go to a major army combat command, and

WHEREAS, In his recent assignment as Commanding General for the last two years, General Eifler has directed intensive efforts to increase the operational readiness of Army missile units throughout the world, and

WHEREAS, His assignment in 1967 to command AMC, a major commodity command of the U.S. Army Materiel Command brought him back to Redstone Arsenal for a third tour of duty. He had previously been Commandant of the U.S. Army Ordinance Guided Missile Site from 1959 to 1961. He returned to Redstone in April 1963, after commanding Frankford Arsenal and served at the Missile Command as Deputy Commanding General, Land Combat Systems until leaving for Viet Nam in December 1965, and

WHEREAS, During his service in Huntsville he has also earned the respect and admiration of his community and state for his splendid leadership in the field of public service, and particularly in encouraging and assisting in the advancement of higher education at the University of Alabama in Huntsville, and

WHEREAS, By separate resolution, this body, has invited Dr. Wernher Von Braun to address a joint session of the Legislature on July 29, 1969, at 2:15 p.m.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring That we heartily commend General Eifler for his promotion and in recognition of his contributions to the State of Alabama, do hereby invite him to be a special guest of the Legislature for the joint session at 2:15 p.m. on July 29, 1969.

On motion of Mr. Grainger, the rules were suspended and H. J. R. 93 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Morrow, Hawkins, Childs, Vacca, Dominick, Bailes, Gilmore:

S. J. R. 46. WHEREAS, On June 28, 1969 the State of Alabama suffered a great loss in the death of Charles Colcott Jones Carpenter, DD. LL.D. the sixth Bishop of the Protestant Episcopal Church in the Diocese of Alabama, and

WHEREAS, Bishop Carpenter was known throughout Alabama, "from the hills of Monte Sano to the shores of Bon Secour" during his more than thirty years as Bishop for this consecrated leadership as a man of God who was never too busy to speak and minister to any person in need and never too busy to serve his God and his State in matters of great importance to all the people of Alabama, and

WHEREAS, his influence reached far outside confines of his own particular branch of the Church and far outside the borders of the State of Alabama, and

WHEREAS, Bishop Carpenter gave great leadership not only in his own Church but for the City of Birmingham, Jefferson County, and the State of Alabama during the many social crises of the past ten

years, being especially effective in promoting a sense of unity among men of widely differing views,

THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, That we take official notice of the life of service of Bishop Carpenter, giving thanks for the example of faith and leadership to which he gave witness, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to his widow, Alexandra Morrison Carpenter, and to his successor in office, the Rt. Rev. George Moseley Murray, D.D. LL.D., as a token of our sympathy and affection.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the rules were suspended and the House concurred in and adopted the S. J. R. 46 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Branyon, Lolley, Carr, Jackson, Givhan, Harris, Gilmore:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 201. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Folsom, Branyon, Lolley and Oden:

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.'"

Also:

By Messrs. Folsom, Branyon, Lolley, Oden, and Torbert:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Also:

By Mr. Oden:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 310. Judiciary.

S. 311. Ways and Means.

S. 426. Rules.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Pearson:

H. 1101. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor.

Local Legislation No. 1.

By Mr. Pearson:

H. 1102. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Pearson:

H. 1103. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide an allowance for the employment of additional clerical assistance by the tax collectors and tax assessors of such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Neville (with notice and proof):

H. 1104. Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

Local Legislation No. 1.

Notice and Proof H. 1004:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Barbour County, in registering any qualified elector of the county who lives in any precinct lying wholly within the corporate limits of any municipality in the county, shall record on the application of the elector and on the precinct list required in Section 54, Title 17, Code of Alabama 1940, the name of the municipality in which such elector resides. If the elector resides in any precinct lying partly within and partly without the corporate limits of any such municipality, the board of registrars shall likewise indicate on such application blank and precinct list whether or not the elector resides within the corporate limits of the municipality, and if so, the name of the municipality in which he resides. In the registration book in which the names of the registered electors are entered in alphabetical order as provided in Section 50, Title 17, Code of Alabama 1940, each person who resides within any municipality of the county shall have recorded opposite his name, the name of the municipality in which he resides.

Section 3. Upon the request of the governing body of any municipality in the county, made by resolution duly adopted and recorded in its minutes, the probate judge of the county shall prepare and maintain the list of registered voters of such municipality separate from the list of other registered voters in the precinct or precincts in which the municipality lies. Whenever such lists of registered voters are published, the names of the voters residing within the corporate limits of any municipality shall be listed separately from the names of the voters residing within the precinct but without the corporate limits of the municipality.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 5/22, 29, 6/3, 10.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Merrill:

H. 1105. To amend Act No. 15, Third Special Session, Acts of Alabama, 1965, to provide that the Director of the Department of Archives and History shall be the executive director and archivist of the Alabama Academy of Honor created by said act.

Judiciary.

By Mr. Holladay:

H. 1106. Relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day.

Local Legislation No. 1.

By Messrs. Merrill, Fite, Bank and Lybrand:

H. 1107. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

Judiciary.

By Messrs. Beck and Meade (with notice and proof):

H. 1108. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 1108:

NOTICE

Notice is hereby given that a local Act, Law, or Bill will be introduced in the Legislature of the State of Alabama at the next session of the Legislature, or any session now pending, and at any ensuing session until passed, for the purpose of and in substance as follows:

AN ACT

To alter, rearrange and extend the Boundary lines and Corporate Limits of the Town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this act shall, become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Mentone, in the County of DeKalb, State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town of Mentone all of the territory lying within the following described boundary, or within the following described territory, including that property heretofore included within the corporate limits of the said Town of Mentone, and to constitute as the boundary, or limit, of the said Town of Mentone the following, to-wit:

Begin at the northeast corner of the Northeast Fourth of the Northwest Fourth of Section 28, Township 5, South, Range 10, East, and run thence southwest to the northeast corner of the Southwest Fourth of the Northwest Fourth of the said Section 28, Township 5 South, Range 10 East; thence southwest to the northeast corner of the Southeast Fourth of the Southeast Fourth of Section 29, Township 5 South, Range 10 East; thence southwest to the northwest corner of the Northeast Fourth of the Northeast Fourth of Section 32, Township 5 South, Range 10 East; thence south along the quarter mile line to the northeast corner of the Northwest Fourth of the Southeast Fourth of the said Section 32, Township 5 South, Range 10 East; thence southwest to the southwest corner of the Southeast Fourth of the Southwest Fourth of the said Section 32; thence east along the south section lines of Sections 32, 33, and 34 of Township 5 South, Range 10 East, to the Southeast corner of the said Section 34; thence north along the east section lines of Section 34 and Section 27 of Township 5 South, Range 10 East, to the northeast corner of the said Section 27; thence west along the north section line of the said Section 27 and continuing west along the north section line of Section 28, Township 5 South, Range 10 East to the northeast corner of the Northeast Fourth of the Northwest Fourth of the said Section 28, and to the point of beginning, 11 lying in DeKalb County, Alabama, and east of the Huntsville Meridian.

Section 2. Any law or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage, and approval by the Governor, or upon its otherwise becoming law.

Section 4. Should any part of this act be declared to be invalid by any court of competent jurisdiction such declaration, judgement, or decree shall not affect the validity of the remainder of this Act.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of May 13, 20, 27, June 3, 1969.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 13th day of June, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

By Messrs. Beck and Meade:

H. 1109. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1110. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the most recent federal decennial census; to regulate the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures and other property of such buildings; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1111. Relating to counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to authorize the governing body in such counties to provide additional deputies for the sheriff; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Young, Harper, Smith, Brannan, Lemley, Fine, Stubbs, Turnham, Paulk, Agee, Steagall, Pearson and Headley:

H. 1112. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

Agriculture.

By Messrs. Cook (Coffee) and McCorquodale:

H. 1113. To authorize the Attorney General and his Assistants to issue subpoenas, to provide for the service of the subpoenas by any lawful officer of the State and their compensation, and to provide for the enforcement of said subpoena by the courts of the State.

Judiciary.

By Messrs. Cook (Coffee) and McCorquodale:

H. 1114. To authorize the Attorney General to employ investigators, to prescribe the duties and authority of such investigators, and to provide for their compensation.

Judiciary.

By Mr. Graham (with notice and proof):

H. 1115. Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

Local Government.

Notice and Proof H. 1115:

A BILL
TO BE ENTITLED
AN ACT

Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. A successor to the office of chairman of the board of revenue of Colbert County shall not be elected in the general election to be held in November 1970 and upon the expiration of the term of the incumbent chairman on the first Monday after the second Tuesday in January 1971, the judge of probate of said county shall thereafter serve as ex-officio chairman of the board; and he shall be entitled to vote on any matter properly coming before the board only in case of a tie vote.

Section 2. The judge of probate as chairman of the board of revenue shall have and exercise all powers and authority vested under the general law in the presiding officers of county governing bodies and in addition shall have and exercise all of the powers and authority conferred on the chairman of the board of revenue of Colbert County by Act No. 131, H. 333, Regular Session 1949, (Acts 1949, p. 157), subject to the limitations of Act No. 645, S. 593, Regular Session 1965 (Acts 1965, p. 1164), which act transferred certain responsibilities for the Colbert County road and bridge system to the state highway department.

Section 3. The salary of each member of the board of revenue of Colbert County shall be decreased to an amount of two hundred dollars (\$200) per month, upon the expiration of the term or terms of office of the member or members whose term or terms first expire.

Section 4. The substantive provisions of this act shall become operative and effective only as to those provisions which shall have been approved by a majority of the qualified electors of Colbert County who vote thereon at a referendum election called for such purpose and at which two propositions shall be submitted. The disapproval of either proposition shall render such proposition inoperative and of no effect but shall not affect the operation and effect of the proposition approved. If both propositions are approved the entire act shall become operative and effective. If both propositions are disapproved this act shall be inoperative and void. The referendum election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the first election day in the county next following final passage and approval of this act. Notice of the election shall be given by the judge of probate of Colbert County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the propositions to be voted on shall be stated substantially as follows:

"Proposition No. 1. Do you favor the local law abolishing the office of the chairman of the board of revenue of Colbert County, transferring his authority and duties to the judge of probate of Colbert County?
Yes _____ or No _____"

"Proposition No. 2. Do you favor the local law decreasing the salary of each member of the board of revenue of Colbert County to an amount of \$200 per month to become effective at the expiration of the term or terms of office of the member or members whose term or terms first expire? Yes or No."

If a majority of the votes cast in the election are "Yes" as to either or both propositions this act shall become effective immediately as to the proposition or propositions approved. If a majority of the votes cast in the election are "No" as to either or both propositions, this act shall be inoperative and void as to the proposition or propositions not approved. The probate judge of Colbert County shall certify the result of the election to the Secretary of State within 10 days after the returns are canvassed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard S. McGrew Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

RICHARD S. MCGREW, SR.

Sworn to and subscribed before me July 3, 1969.

J. U. WALKER,
Notary Public.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1116. Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Franklin County.

Local Legislation No. 1.

Notice and Proof H. 1116:

STATE OF ALABAMA COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and

to provide that the compensation of such secretary be paid by Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney of the thirty-fourth judicial circuit may appoint a stenographic secretary who shall serve at the pleasure of the district attorney and shall perform such duties as he may direct. The compensation of such secretary shall be fixed by the district attorney at the sum of not exceeding one hundred fifty dollars per month. Said compensation shall be paid in monthly installments out of the general fund of the treasury of Franklin County at the end of each month, or semi-monthly at the election of said secretary, such payment to be made on certificate issued by the district attorney of the circuit in favor of such secretary for the respective amounts due each month.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

CLAUDE E. SPARKS.

Sworn to and subscribed before me July 17, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1117. To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1117:

LEGAL NOTICE

AN ACT

To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its

officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedures of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby established in and for Colbert County, Alabama, an inferior court of law, both civil and criminal, and of equity which shall be called Colbert County Court, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred or which hereafter may be conferred upon the several circuit courts of the State, provided, however, that in cases at law, the amount involved, exclusive of interest and costs, does not exceed Five Thousand Dollars (\$5,000.00) except, however, it is provided that in any civil action filed on the law side where a cross-section, counter-claim, set-off, or plea in recoupment is filed, claiming in excess of Five Thousand Dollars (\$5,000.00), exclusive of interest and costs, the court shall have jurisdiction of said action and shall proceed with it to a conclusion, and further provided that the said Colbert County Court shall not have jurisdiction to try persons charged with felonies and shall have criminal jurisdiction which Justices of the Peace formerly had in Colbert County, and shall have concurrent jurisdiction with the Justice of the Peace Courts of Colbert County in all civil matters; and shall also have and exercise such further jurisdiction, authority, functions, and powers as are hereinafter conferred upon it by this Act.

Section 2. A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(a) Immediately after the effective date of this Act, the Governor shall commission Hon. Jerry M. Vanderhoef as Judge of the Colbert County Court, and the said Jerry M. Vanderhoef shall hold office until his successor is elected or appointed as provided herein.

(b) The judge of said court before entering upon the duties of said office shall take the oath required by law to be taken by the judges of Circuit Courts of Alabama. The said judge shall be a qualified elector of Colbert County, Alabama, shall be learned in the law, shall be a member of the Alabama Bar in good standing and shall not be less than twenty-five years of age. The said judge shall devote his entire time to the duties of his office. Said judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the Judge of said Court shall be filled in the same manner as are vacancies in the office of the Judge of Circuit Courts are filled under the Constitution and Laws of the State of Alabama, now, or as may hereafter be provided.

Section 4. That the Clerk of the Circuit Court of Colbert County, Alabama, shall be ex-officio Clerk of the Colbert County Court and shall have the same powers and discharge the same duties as Clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions, and compensations as are now, or as may hereinafter be allowed to Circuit Clerks of Alabama, except as herein-

after provided, and the same shall be collected as such fees, commissions, and compensations are collected in the Circuit Courts; except, that in civil matters where suit is brought for One Hundred Dollars or less, and in which the Plaintiff proceeds as if he were in a Justice of the Peace Court, only the fees, commissions and compensations allowed by law to the Justices of the Peace shall be collected, and said Clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court, and that the said Clerk may provide a Deputy Clerk and the said Deputy Clerk shall aid the said Clerk in any duties that may be required of the office and said Deputy Clerk is hereby authorized to issue warrants of arrest on affidavit, returnable to the said Colbert County Court. That the Register of the Circuit Court in Equity shall be ex-officio Register of the Colbert County Court, and shall have the powers and discharge the duties which shall devolve upon the Register of the Colbert County Court; and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and compensations as are now, or as may, hereafter be, allowed to the Register of the Circuit Courts in Equity, and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. The judge shall receive an annual salary equal to an amount of five hundred dollars less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of county officers are paid.

(a) The judge of said court shall be reimbursed for necessary expenses incurred while attending judicial conferences, continuing legal education seminars, State Bar Association meetings and other necessary meetings while acting in his official capacity as judge of said court, provided however, that said total expenses shall not exceed the sum of five hundred dollars for any one fiscal year. Said expenses shall be paid out of the general fund of the county upon the warrant of the judge of said court.

Section 6. Immediately after the effective date of this Act, the Governor shall commission James A. Patton as Solicitor of the Colbert County Court and the said James A. Patton shall hold office until his successor is elected or appointed as provided by law. The Solicitor for the said court before entering upon the duties of said office shall take the oath required by law to be taken by the Circuit Solicitors of Alabama. The said Solicitor shall be a qualified elector of Colbert County, Alabama; shall be a member of the Bar of Alabama in good standing; shall be learned in the law, and he shall be allowed to continue to practice law while acting as such Solicitor, except that he shall not represent defendants in any criminal cases in any courts in this State. The duties of said Solicitor shall be those now provided by law for Deputy Circuit Solicitors, and the said Solicitor shall prosecute for the State all causes in the said court; however, in addition to the duties now imposed upon the said Solicitor, he shall perform the following extra, new and additional duties:

(a) He shall carefully read and check the transcript of evidence in all criminal cases appealed from the Colbert County Court to the Court of Appeals or to the Supreme Court of Alabama, including all appeals from Desertion and Non-Support cases, and call to the attention of the trial Judge any errors or discrepancies that may appear in said transcript of evidence.

(b) He shall, whenever requested by the Attorney General of the State of Alabama, file memorandum briefs in all criminal cases appeared from the Colbert County Court to the Court of Appeals or to the Supreme Court of Alabama.

(c) When requested to do so by the Judge he shall attend all hearings on any application for probation, or on any application for suspension of sentence in said Colbert County Court, and furnish the trial Judge, or the Judge hearing the application with all information in his possession concerning the application for probation or suspension of sentence.

(d) When requested to do so by the Judge he shall prosecute in the Colbert County Court all cases of Non-Support and Desertion.

Section 7. Vacancies in the office of the Solicitor of said court shall be filled in the same manner as are vacancies in the office of Circuit Solicitors as provided by the Constitution and Laws of the State of Alabama, now, or as may hereafter be provided. The said Solicitor may be removed from office in the same manner and for the same causes now provided by law for the removal of Circuit Solicitors.

Section 8. That the solicitor of said court shall receive a salary of Six Thousand Dollars per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 9. That the said Colbert County Court shall be held at the court house of Colbert County, Alabama, and that said court shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply. The judge of said court shall be subject to the same penalties for failure to attend upon the court as are Circuit Judges of this State. The judge of said court shall keep an office in the court house of Colbert County, Alabama, or at such other suitable place as may be provided by the County Commissioners of Colbert County, and it shall be the duty of the Board of Revenue of Colbert County to provide such office and supply the same with all furnishings, fixtures, stationery and other supplies necessary to enable the judge of said court efficiently to conduct the affairs of his office.

Section 10. The Judge of said Court may determine and fix the time of holding the sessions of said court for the trial of all cases, both civil and criminal; provided, however, that all civil and criminal cases in which no jury is demanded, shall be called for trial at least once in each calendar month, and for the trial of civil and criminal cases wherein juries have been demanded there shall be not less than two sessions of court each year, the time of said sessions to be fixed by the court by order entered upon the minutes of the court. Provided, however, that the court shall have the right and power to call extraordinary sessions of said court whenever in the judgment of the court the same are necessary.

Section 11. That all procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Colbert County Court except as otherwise provided herein, and the judge of said Colbert County Court may, from time to time, adopt and enforce rules to facilitate and expedite the business of the court, not contrary to the law, nor inconsistent with the rules established by the Supreme Court.

Section 12. The Sheriff shall, without additional compensation attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the Circuit Court.

Section 13. That is, for any reason, forfeiture be taken on any bond on the criminal side of said court, the court may order the alias *capias* returnable instant or within ten days and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final.

Section 14. That the judge of the Colbert County Court shall adopt a seal for the law side of the docket of the Colbert County Court which shall be kept in the custody and control of the Clerk of the court. The said judge shall also adopt a seal for the Equity side of the Colbert County Court which shall be kept in the custody and control of the register of the court.

Section 15. That all civil cases are to be tried by the court without the intervention of a jury, unless at the time of filing the suit, the Plaintiff shall indorse in writing his demand for a jury trial on the Summons and Complaint, attachment or other process or paper filed by him for the purpose of instituting suit, or by filing a separate written demand with the clerk of the court at the commencement of the suit, or unless the defendant or other party occupying the position of defendant shall demand in writing a trial by jury within thirty days after the perfection of service on him, or unless the claimant shall demand in writing a trial by jury at the time of filing his claim, provided, however, that all civil cases in which Justices of the Peace have concurrent jurisdiction with the Colbert County Court, and in which the Plaintiff proceeds as if he were in the Justice of the Peace Court the defendant or person occupying the position of defendant shall demand in writing a trial by jury within three days after the perfection of service upon him; and provided further that all civil cases involving less than Twenty Dollars, exclusive of costs, shall be tried without the intervention of jury. All misdemeanor cases, except as herein otherwise expressly provided, shall be tried by the court without a jury unless a demand in writing for a jury trial be filed in the cause by the defendant with the clerk of the court on or before the first sounding of the cause after the defendant has been arrested or taken into custody on an affidavit and warrant returnable to the court, or on an indictment returnable to the court, or on other proper process, if the cause is sounded within fifteen days after the defendant has been so arrested or taken into custody; provided, however, that if the cause is not sounded within fifteen days after the defendant has been so arrested or taken into custody, then the defendant must demand a trial by jury in the manner provided within fifteen days after he has been so arrested or taken into custody; and provided further that it shall be deemed a sufficient demand in writing for a trial by jury if such demand is indorsed on a bond by the defendant either on, or before the first sounding of the cause, or prior to the expiration of fifteen days, whichever occurs first. A failure to demand in writing a trial by jury as herein provided shall be held and deemed to be a waiver by the defendant of a trial by jury.

Section 16. That the Colbert County Court shall have jurisdiction of all causes brought by appeal or certiorari from the judgments of Justices of the Peace, Recorders, or other inferior courts, and the procedure, practice, and rules governing such appeals now, or which hereafter may be adopted, shall be the same as in the cases of appeals from such courts to the Circuit Courts or courts of like jurisdiction; provided, however, that the Colbert County Court shall not have jurisdiction in causes appealed from judgments of Justices of the Peace, Recorders, or other inferior courts where appeal to the Circuit Court only is now, or hereafter may be, provided by law.

Section 17. When the summons, writs of attachment, summons and complaint in attachment, or other process, either in law or equity,

has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within the time as now provided for defendants to appear and plead, answer or demur in the Circuit Courts of the State of Alabama in law and in equity; provided, however, that in all cases in which Justices of the Peace have concurrent jurisdiction with the Colbert County Court, and in which the Plaintiff proceeds as if he were in a Justice of the Peace Court, the defendant shall appear and plead, answer or demur within three days from the date of service of process upon him as required by law. If the defendant fails to appear and plead, answer or demur as herein provided, he shall be in default and on motion of the Plaintiff, judgment by default, or a decree pro confesso, may be rendered against him, and said judgment or decree may be set aside in the manner now or which hereafter may be, provided by law. And the court may by rule entered on the minutes of the court, prescribe the time and manner of calling cases for judgment by default or decree pro confesso.

Section 18. That the Colbert County Court shall have exclusive jurisdiction over children and the judge of said Colbert County Court shall be the judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Colbert County Court of all juvenile matters and juvenile jurisdiction in Colbert County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be provided by law. The Register in Equity is hereby made the clerk of such Juvenile Court; and said Clerk of the Juvenile Court shall provide the office with such supplies as are necessary to conduct the business of the Court and the costs of said supplies shall be a claim against the county; and the said clerk is hereby authorized to issue warrants of arrest on affidavit, returnable to the said Juvenile Court of Colbert County when requested in cases arising under said Title 13, Chapter 7, Sections 350 to 383, both inclusive, of the Code of Alabama of 1940, and in cases arising in said Juvenile Court by virtue of warrants of arrest on affidavit the said clerk shall subpoena witnesses, assess court costs, and collect said costs in the same manner and way as the same duties are exercised and performed in like cases by the ex-officio clerk of the Colbert County Court, except that no solicitors fee shall be taxed as part of the costs in any case brought before the said Juvenile Court; and the said clerk of the Juvenile Court shall disburse monies so collected in the manner and way as now provided by law.

Section 19. That this court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the judge of said Colbert County Court shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Colbert County Court of all domestic relations matters arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, as amended or as hereafter may be amended.

Section 20. That all jurors for the Colbert County Court shall be summoned from the entire county; that the venire for said court shall consist of not more than 65 jurors drawn as provided by law for the drawing and summoning of jurors for the Circuit Courts of Alabama.

(a) The jurors are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court,

and ferriage and toll. However, only one such travel allowance shall be paid a petit juror for attending court pursuant to one summons. His service and travel expenses shall be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 21. Prosecutions for misdemeanors committed in Colbert County may be instituted in the said court by making an affidavit before the judge or the clerk of said court, or any duly appointed deputy clerk thereof, the writ on said affidavit to be issued by the judge or clerk of said court, or any duly appointed deputy clerk thereof, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940.

Section 22. The judge of said court shall have power to issue search warrants, writs of habeas corpus, prohibition, certiorari, quo warranto, injunctions and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided, by law, except as otherwise provided in this Act, shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama unless otherwise provided in this Act.

Section 23. That from and after the passage of this act all fines and forfeitures assessed and collected in said court shall be deposited in the Fine and Forfeiture Fund of Colbert County, Alabama.

Section 24. That claims accruing in the Colbert County Court will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 25. It shall be the duty of the clerk of said court to keep a record upon which shall be recorded all affidavits made before the judge or clerk, or deputy clerk of said court and returnable to said court and if any of said affidavits should be lost or destroyed a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of Seventy-Five cents to be taxed as Costs in case of defendants conviction.

Section 26. That the Supreme Court and Court of Appeals of this state shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the Judge thereof, and appeals may be taken from the orders and judgments of said court to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, except as herein provided for appeals to the Circuit Court. The same rules, regulations and laws applicable to appeals from the Circuit Court to the Supreme Court or Court of Appeals shall govern appeals in all cases from the Colbert County Court to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 27. Judgments or decrees rendered by the Colbert County Court shall be a lien on the property of the judgment debtor which is

subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a judge of probate of a certificate of the said judgment or decree issued by the Clerk or register of the said court as it now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be, provided by law.

Section 28. The venue of any case in the said Colbert County Court may be changed to other counties as it is now, or as it hereafter may be provided by law for the several Circuit Courts of like jurisdiction.

Section 29. The judge of this court shall secure the services of a competent shorthand writer to attend the terms of this court and report in shorthand all cases tried herein and during the time he or she is actually engaged in reporting and transcribing for the court of the attorneys, he or she is an officer of this court, and he or she shall receive an annual salary equal to an amount of Five Hundred Dollars less than the base annual salary of Circuit Court Reporters (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of county officers are paid, provided, however, the judge of this court shall have the right to remove said reporter from his office at his pleasure. In addition to the compensation herein provided for, said reporter shall be entitled to tax and collect from the litigant or his attorneys for whom he is making a transcript of the evidence the sum of ten cents per hundred words for said transcript, and when such transcript is made the reporter shall append thereto his certificate to the correctness of the same as such official reporter. The stenographer's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 30. That in all civil cases reported by such reporter in this court there shall be taxed and collected as a part of the cost of the case a fee of Five Dollars for each day or fraction thereof, that such reporter shall be engaged in reporting a case, and when collected to be paid by the clerk into the treasury of Colbert County, except that in civil cases involving the sum of One Hundred Dollars or less and where said proceeding is conducted as if it were in a Justice of the Peace Court, no fee shall be taxed as costs for the services of the reporter.

Section 31. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 32. In all criminal matters, causes and proceedings in which Justices of the Peace would have formerly had final jurisdiction the costs and fees taxable shall be the same as were allowed in Justice of the Peace Courts. The usual Solicitor's fees provided in cases in Circuit Courts shall be taxed as a part of the costs in all criminal cases, except in a criminal case where a Justice of the Peace would have formerly had final jurisdiction, in which no solicitor's fee shall be charged, and the said solicitor's fees in those cases where it is taxed as a part of the costs shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Colbert County, Alabama.

Section 33. That the Colbert Law and Equity Court is hereby abolished, and from and after the passage of this Act shall no longer exist and no officers of this State shall collect any fees or salary because of said court and for services rendered in said Colbert Law and Equity Court and all cases pending in said Colbert Law and Equity Court, when this Act becomes a law, shall immediately become pending upon the docket of the Colbert County Court as thought originally brought in said Court, and shall be called for trial on the second Monday in the month following the approval of this Act.

Section 34. That a trial tax of three dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Colbert County Court, to be taxed and collected as other costs and when collected, to be paid by the clerk or register of said Colbert County Court, into the general funds of the county as other costs provided, however, that in civil cases at Law where the amount involved is \$100.00 or less, and where said proceeding is conducted as if it were in a Justice of the Peace Court, a trial tax fee of only one dollar (\$1.00) shall be imposed and collected.

Section 35. That the clerk and register, with the approval of the judge of said court, are hereby authorized and required to purchase all necessary furnishings, records, stationery, and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the judge and signed by the clerk.

Section 36. After the effective date of this Act the Judge of said court shall appoint a Juvenile Probation Officer in accordance with Chapter 7, Title 13, Code of Alabama 1940.

(a) The powers and duties, qualifications, removal, reimbursement for expenses shall be the same as in Chapter 7, Title 13, Code of Alabama 1940.

(b) The Juvenile Probation Officers shall be paid an annual salary of not less than Six Thousand Six Hundred Dollars per annum, minimum, and not more than Ten Thousand Dollars per annum, maximum, and shall start at Six Thousand Six Hundred Dollars per annum and may be raised by the judge, with the approval of the governing body of said county, as he deems it expedient.

Section 37. The Board of Revenue of Colbert County is hereby authorized and will provide an office in the Court House of Colbert County, Alabama, or at such other suitable place as may be provided by the Board of Revenue of Colbert County, for and to be used by the Solicitor of the Colbert County Court, and it shall be the duty of the Board of Revenue of Colbert County to provide such office with telephone service. The said office space as provided shall be subject to the approval of the said Solicitor of the Colbert County Court.

Section 38. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, than that fact shall not destroy the constitutionality of this Act, except as to that clause or section.

Section 39. That all laws, both local and general, in conflict with this Act be and the same are hereby repealed.

Section 40. This Act shall take effect on the first of the month next following the date of its enactment.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

I, George A. Morris, Jr., Editor & Publisher of The Standard & Times, a weekly newspaper published in Sheffield, Colbert County, Alabama, and with a general circulation in Colbert County, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: An act to create and establish an inferior court of record of law and equity in Colbert County as published in The Standard & Times on the days and dates and in the amount of space as here given, as follows: Published June 13, 20, 27; July 4, 1969. Sheffield, Ala., July 7, 1969.

GEORGE A. MORRIS, JR.,
Editor & Publisher of The Standard & Times.

Sworn to before me this 22nd day of July, 1969.

BRYCE U. GRAHAM,
Notary Public.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

Notice and Proof H. 1118:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Colbert County, Alabama, by whatever name called, is hereby authorized to establish and maintain a Public Law Library in said County, and to accomplish said purpose, may from time to time, expend such public funds of said County, as are not required by law to be expended for any other purpose or purposes, to provide suitable housing quarters, furniture, fixtures and equipment therefor, to keep the same in a good state of maintenance and repair, and, from time to time, to enlarge, expand and improve such Library, facilities and equipment and, from time to time, to provide such books, reports and periodicals for said Library as are not provided therefor out of the special fund created by this Act or otherwise, and to pay the salaries of an assistant librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County Depository payable out of appropriate fund or funds.

Section 2. In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of Two and no/100 (\$2.00) Dollars in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on a Forfeited Bill Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Law and Equity Court or to the Circuit Court hereinafter filed in, arising in, or brought by appeal, certiorari or otherwise to the Law and Equity Court or to the Circuit Court of Colbert County, Alabama which costs shall be collected as other costs in such cases are collected by the Clerk of said Courts or the Register thereof, as the case may be, and shall be paid to the County Depository of Colbert County, Alabama.

Section 3. The management and control of said Public Law Library shall be vested in a Librarian, and an Advisory Committee. Such Librarian shall be the presiding Judge of the Thirty-first Judicial Circuit. Such Advisory Committee shall consist of two members of the Colbert County Bar. The members of such Advisory committee shall be elected by the county governing body of Colbert County, Alabama, for such term as may be fixed by such governing body. In all matters involving the expenditure of moneys the concurring consent of one member of such Advisory Committee shall be necessary.

Section 4. The sums herein provided to be paid into the County Depository of Colbert County, Alabama, shall be kept in a separate fund designated as "Colbert County Public Law Library Fund" and shall be expended by the Librarian, by and with the consent of the Advisory Committee, for maintaining said Law Library. Said Librarian shall draw warrants on the County Depository for expenditures, indicating on the warrants the fund against which the warrants are drawn. Every warrant drawn by such Librarian shall be countersigned by at least one member of said Advisory Committee. Said fund shall be used primarily to lease or purchase, from time to time, under conditional sales contracts in anticipation of future revenue under this Act or otherwise as the said Librarian may deem expedient, such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of the Said Librarian be advisable, but to the extent not so used funds may otherwise be expended for the maintenance of said Library. All books or other property purchased with the funds produced by this Act shall be the property of Colbert County, Alabama, provided, however, that the said Librarian may from time to time, sell at public or private sale or exchange any such books, reports, periodicals, and personal property, and apply the proceeds from the sale thereof, or the

value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Librarian may accept any gift or loan of any books, reports, periodicals and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Librarian. Said Librarian may appoint such assistant Librarian and other personnel as may in his opinion be necessary or proper to operate said Library, and, to the extent that in the opinion of said Librarian the circumstances permit, may require the Clerks of said Court, and/or the Register of said Courts, and/or the official Reporters of said Circuit Court and Law and Equity Court to operate the same or to assist therein, either with or without additional compensation therefor from said fund as the said Librarian shall direct.

Section 5. The said items of cost above referred to shall be designated in said respective Courts as "Public Law Library Fee" and shall be taxed as other costs are taxed in said Courts. On or before the 10th day of each month, the Clerk or other collecting officer of the respective Courts shall pay to the said County Depository the amounts collected for said Public Law Library fees previous to the first day of the month.

Section 6. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Colbert County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the "Colbert County Public Law Library Fund" of Colbert County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 7. At the conclusion of 3 years from the date that this act shall become effective, the funds herein above provided to be paid to the "Colbert County Public Library Fund", shall be paid into the fine and forfeiture fund of Colbert County.

Section 8. If any sentence, clause, provision or section of this Act be declared to be invalid, the invalidity thereof shall not effect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portion hereof.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared George Morris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1969.

GEORGE MORRIS.

Sworn to and subscribed before me June 23, 1969.

MARTHA ANN NESBETT,
Notary Public.

By Mr. Drake:

H. 1119. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

Agriculture.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 1120. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1120:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Holly Pond, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Holly Pond, Alabama, and in addition thereto the following described territory, to wit:

Tract I. The Southwest Quarter of the Southwest Quarter; the East Half of the Southwest Quarter; the West Half of the Southeast Quarter; the South Half of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 10.

Tract II. The Northwest Quarter and the East Half of the Southeast Quarter of Section 11.

Tract III. The West Half of the Southwest Quarter of Section 12.

Tract IV. The West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 13.

Tract V. The East Half of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of Section 14.

Tract VI. The Southeast Quarter; the West Half of the Northeast Quarter; the North Half of the Northwest Quarter of Section 15.

All in Township 10, South, Range I West of Huntsville Meridian in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 29, June 5, 12 & 19, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18th day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 1121. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Local Legislation No. 1.

Notice and Proof H. 1121:

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 163, H. 168, approved March 30, 1965 (Acts of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows:

"Section 7. CRIMINAL PROSECUTIONS. (a) Prosecutions may be commenced in such court, upon sworn complaint made to the judge of the court in whose jurisdiction said offense is alleged to have been committed, which judge shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed in his jurisdiction and there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama of 1958, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

"(b) The Circuit Solicitor of the Thirty-Second Judicial Circuit and the County Solicitor of Cullman County shall have the power and authority upon sworn complaint on probable cause to issue writs of arrest for offenses allegedly committed in the jurisdiction of the Cullman County Intermediate Court. The Circuit Solicitor is to appear at all preliminary hearings on felonies and the County Solicitor to prosecute all other criminal actions before the court.

"(c) All solicitor's fees taxed and collected in all criminal cases in the Cullman County Intermediate Court shall be paid into the general fund of the Cullman County Board of Revenue by the Clerk taxing and collecting same. Also, the clerk of the court shall deduct for the use of the county twenty percent of any sum or sums collected for and remitted to the state."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA CULLMAN COUNTY

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 8, 15, 22, & 29, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18th day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Mr. Drake:

H. 1122. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Drake, Starnes and McDonald (with notice and proof):

H. 1123. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Local Legislation No. 1.

Notice and Proof H. 1123:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act relating to the Cullman County sales and use tax law, is amended to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenues and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him in to the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public schools funds of the county and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of \$12,500 which shall be payable at the rate of \$1,000 per month for eleven months and \$1,500 for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational purposes. Exclusive of the

\$25,000 heretofore allocated to the county governing body of Cullman County and the City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided equally between the board of education of Cullman County and the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: April 24, May 1, 8 & 15, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

By Mr. Steagall:

H. 1124. To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Blanton:

H. 1125. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Beck, Williams, Meade, Malone, Smith and Lyons:

H. 1126. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

State Administration.

By Messrs. Fine, Tuck and Mays:

H. 1127. To make an appropriation to the Alabama Educational Television Commission.

Ways and Means.

By Messrs. Stembridge and Crawford:

H. 1128. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1129. To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1130. Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1131. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Cook (Jefferson), Adwell and Gloor:

H. 1132. To amend Code of Alabama 1940, Title 29, Section 12, which relates to advertising of alcoholic beverages.

Transportation.

By Messrs. Holman, Jackson (T), Ellis, Sessions, Yeilding, Watkins, Gloor, Weeks, Cook (Jefferson), Dill, Crane, Bowers, Cherner, Adwell, Waggoner, Meeks and Gafford:

H. 1133. To provide for any counties having a population of 600,000 or more according to the 1940 federal census or any succeeding decennial federal census which have adopted or subsequently adopt Zoning Regulations, Land Subdivision Regulations and Building Codes to have exclusive jurisdiction over matters relating to such Zoning, Land Subdivision, and Building Code in all areas of the County lying outside of the corporate limits of any municipality in such County, and to withdraw from such municipalities all right, power and authority relating to such land outside its corporate limits as to all matters relating to Zoning, Land Subdivision and Building Codes; to define Zoning Regulations, Land Subdivision Regulations and Building Codes.

Local Legislation No. 2.

By Messrs. Holman, Jackson (T), Ellis, Sessions, Yeilding, Watkins, Gloor, Weeks, Cook (Jefferson), Dill, Crane, Bowers, Cherner, Adwell, Waggoner, Meeks and Gafford:

H. 1134. To amend the title and to further amend Section 1 of Act No. 344, H. 775 of the Regular Session of 1947 (General Acts 1947, p. 217), which was an act to empower any counties having a population of 400,000 or more according to the 1940 or any succeeding federal census to provide for, regulate, and restrict in the unincorporated portions of the county outside of the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry and residence, so as to authorize such counties to zone the unincorporated portions of the county lying within the police jurisdiction of the incorporated municipalities of the county and to take away from such incorporated municipalities zoning jurisdiction in that area outside of their corporate limits but within their police jurisdictions.

Local Legislation No. 2.

By Messrs. Holman, Jackson (T), Ellis, Sessions, Yeilding, Watkins, Gloor, Weeks, Cook (Jefferson), Dill, Crane, Bowers, Cherner, Adwell, Waggoner, Meeks and Gafford:

H. 1135. To amend subparagraph (b) of Section 4 of Act No. 672 H. 923 of the regular session of 1967 (General Acts 1967, Page 1496), which was an Act to authorize any county having a population of 500,000 or more, according to the last or any subsequent federal census to adopt a building code or ordinance designed to prevent fire and to protect the people of the county from the loss of property and the loss of life consequent to fires, which building code or ordinances shall apply only in the unincorporated area of the county; so as to authorize the adoption of such code or ordinance without regard to whether a majority of the qualified electors residing in the area wherein the code shall apply are in favor of the adoption of the code and without regard as to whether the adopting of the proposed code would result in substantial savings in respect to fire insurance rates.

Local Legislation No. 2.

By Messrs. Ellis, Kilgore, Dill, Jackson (T), Weeks, Meeks, Watkins, Adwell, Crane, Holman, Yeilding, Cherner and Gafford:

H. 1136. To amend Section 22 of Act No. 248, General Laws of Alabama, approved July 6, 1945, entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof.", as heretofore amended.

Local Legislation No. 2.

By Messrs. Sessions, Holman, Ellis, House, Cherner, Yeilding, Waggoner, Meeks, Gloor, Kilgore, Adwell and Cook (Jefferson):

H. 1137. To further amend Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) Entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Local Legislation No. 2.

By Messrs. Adwell, Ellis, Dill, Weeks, Watkins, Meeks, Kilgore, Crane, Yeilding, Sessions, Cherner, Waggoner and Holman:

H. 1138. To authorize counties with a population of 400,000 or more according to the last or any succeeding Federal Census to levy the license taxes on the privilege of issuing or using trading stamps in such counties not in excess of those which Act No. 110 (H. 182), approved February 14, 1956 (Acts of Ala., 1956 Special Sessions, p. 166) levies for such counties on such privilege, to provide when such act shall become effective, to repeal said Act No. 110 (H. 182) and provide when such repeal shall become effective.

Local Legislation No. 2.

By Messrs. Dill, Gafford, Waggoner, Cook (Jefferson), Cherner, Yeilding, Crane, Ellis, Adwell, Holman, Jackson (T), Watkins, Gloor, Kilgore, Perloff, Bowers, McElhaney, Grayson, Nettles, Weeks, Graham, Bank, Culver and Sessions:

H. 1139. To provide further for the distribution and use of the net profits of Alabama liquor stores and proceeds from the taxes on spirituous or vinous liquors and malt or brewed beverages; allocating that portion of such funds formerly paid directly to dry counties to the general education trust fund.

State Administration.

By Messrs. Hill and Haygood:

H. 1140. To apply only in counties having populations of not less than 61,000 nor more than 65,000, reducing the additional compensation for official court reporters of the circuit court in such counties, which is payable from the county treasury, contingent upon the increase of the compensation payable to such court reporter from the State.

Local Legislation No. 1.

By Mr. Hill (with notice and proof):

H. 1141. To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

Local Legislation No. 1.

Notice and Proof H. 1141:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 4 and 8 of Act No. 27, H. 102 of the 1964 Special Session (Acts Special Session 1964, p. 47), which creates and establishes the Lauderdale County Court, are hereby amended to read as follows:

"Section 4. The court established by this Act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed one thousand dollars (\$1,000), exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the country having jurisdiction in such cases.

"Section 8. The judge of the Lauderdale County Court shall receive a salary which shall be fixed by the county governing body of Lauderdale County, but in no event shall such salary be more than \$10,800 per annum nor less than \$10,200 per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama, upon warrant of the Probate Judge of Lauderdale County. The Probate Judge is hereby authorized and directed to issue such warrants monthly."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 23, 1969.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

By Mr. Hill:

H. 1142. To require all dealers of scrap metal to obtain a sworn affidavit from the seller prior to the purchase of any copper or copper alloy metal.

Judiciary.

By Mr. Turnham:

H. 1143. To amend Sections 3 and 4 of Act No. 643, S. 414, approved November 19, 1959 (Acts of Alabama 1959, p. 1557) reducing the number of members of the tenure commission required to constitute a quorum for the transaction of the business of the commission and to provide payment to commission members for necessary expenses.

Education.

By Mr. Turnham:

H. 1144. To impose extra, new and additional powers and duties upon the Chief Examiner of Public Accounts and to appropriate funds to the Department of Examiners of Public Accounts to perform such new and additional duties.

State Administration.

By Messrs. McLain, Shumate, Brannan and Pennington:

H. 1145. To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any sectional provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

Transportation.

By Messrs. Grainger, Laxson, Jones, McLain and Pennington (with notice and proof):

H. 1146. Authorizing the Board of County Commissioners of Madison County to levy by resolution of the Board of County Commissioners, a special court cost on all civil and criminal cases docketed within said county, requiring the proceeds to be collected by the officers of the state and county responsible for said collection, requiring the proceeds to be paid to the Board of County Commissioners Parking Fund, and authorizing the disbursement of said funds by order of the County Commissioners for the purpose of providing parking for petit jurors, grand jurors, witnesses, and employees of any state and county governmental agency having offices in the Madison County Courthouse.

Local Legislation No. 4.

Notice and Proof H. 1146:

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature in the state of Alabama:

A Bill to be entitled an act authorizing the Board of County Commissioners of Madison County to levy by resolution of the Board of County Commissioners, a special court cost on all civil and criminal cases docketed within said county, requiring the proceeds to be collected by the officers of the state and county responsible for said collection, requiring the proceeds to be paid to the Board of County Commissioners Parking Fund, and authorizing the disbursement of said funds by order of the County Commissioners for the purpose of providing parking for petit jurors, grand jurors, witnesses, and employees of any state and county governmental agency having offices in the Madison County Courthouse.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. The Board of County Commissioners of Madison County, Alabama, is hereby authorized to levy by resolution a special court cost on all civil and criminal cases docketed within said county not exceeding \$1.00 per case.

Section 2. Each officer of the state and county responsible for collecting the cost of court for civil and criminal cases within the County is hereby required to levy such cost as may be provided by resolution of the Board of County Commissioners under this act and pay over the proceeds to the account of the Madison County Board of Commissioners Courthouse Parking Fund.

Section 3. The proceeds from any levy collected under the provisions of this act shall be used exclusively by the Board of County Commissioners of Madison County for providing parking for petit jurors, grand jurors, witnesses, and employees of the state and county having offices in the Madison County Courthouse. The Board of County Commissioners of Madison County is hereby authorized to do all things necessary and proper to provide adequate parking for petit jurors, grand jurors, witnesses, and employees of the state and county having offices in the Madison County Courthouse, including the acquisition and operation of parking lots, and including contracting with any private or public agency for said purpose, under such terms as the Board may determine necessary and desirable.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 12, 19, 23, and 26, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 27th day of June, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Jones, Pennington, Grainger, McLain and Laxson (with notice and proof):

H. 1147. To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

Local Legislation No. 4.

Notice and Proof H. 1147:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County, is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 8, 1969.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Laxson, Jones, Grainger, McLain and Pennington (with notice and proof):

H. 1148. To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1148:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit judges of the Twenty-Third Judicial Circuit of Alabama shall select one of their number who shall be called the presiding judge who may designate one of the judges to preside in his absence, and if the presiding judge does not designate a judge to preside, the other judges shall select one to preside in the absence of the presiding judge. In the event the judges are unable to select a presiding judge, they shall make their inability to decide known to the Chief Justice of the Supreme Court of Alabama who shall appoint one of their number as presiding judge.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 17, 24, July 1 and 8, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of July, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Pennington, McLain, Grainger, Laxson and Jones (with notice and proof):

H. 1149. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1149:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court in the Twenty-Third Judicial Circuit of Alabama, the judge presiding over the empanelment of the jury venire in said capital case is authorized to excuse any prospective juror outside the presence of the defendant provided said juror has a legal excuse for being excused and it shall be within the discretion of the judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by statutes now in force and effect.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 17, 24, July 1 and 8, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of July, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. McLain, Jones, Grainger, Pennington and Laxson (with notice and proof):

H. 1150. To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1150:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. No special venire shall be ordered or drawn for the trial or trials of a defendant or defendants in capital felonies in the Circuit Court of the Twenty-Third Judicial Circuit of Alabama, but a defendant or defendants in capital felony cases shall be entitled to strike from a list of not less than forty-eight competent jurors obtained from the regular juries in the Court. One hundred names shall be drawn from the jury box for service during any week in which a capital case is set for trial.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 17, 24, July 1 and 8, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of July, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Jones, Pennington, Grainger, Laxson and McLain (with notice and proof):

H. 1151. To allow subsequent jury service in the Twenty-Third Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1151:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To allow subsequent jury service in the Twenty-Third Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Each circuit judge in the Twenty-Third Judicial Circuit of Alabama who excuses any person from jury service for reasonable and proper cause pursuant to Code of Alabama 1940, Title 30, Section 5, may in his discretion, direct such person so excused from jury service to serve at some later date to be determined by the Court. No juror who is excused pursuant to the provisions of this Section shall be entitled to his mileage fee and per diem fee for the day on which he originally appears and is excused; and for his service during the subsequent week in which he is required to serve he shall receive the same fees as if he was originally summoned to serve during that week.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 17, 24, July 1 and 8, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of July, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Laxson, Grainger, Jones, Pennington and McLain (with notice and proof):

H. 1152. Separation of jury by consent in the Twenty-Third Judicial Circuit of Alabama.

Local Legislation No. 4.

Notice and Proof H. 1152:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Separation of jury by consent in the Twenty-Third Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. If the accused and his counsel and also the prosecuting attorney, in the Twenty-Third Judicial Circuit of Alabama, in any prose-

cution for felony, whether capital or non-capital consent thereto in open court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to that accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 2. It shall be improper for the trial court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they consent to a separation of the jury pending the trial.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 17, 24, July 1 and 8, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of July, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Pennington, McLain, Laxson, Jones and Grainger (with notice and proof):

H. 1153. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

Local Legislation No. 4.

Notice and Proof H. 1153:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Madison County shall be entitled to receive compensation as follows:

(a) For the Clerk of the Circuit Court of the Twenty-third Judicial Circuit of Alabama, a salary of Fourteen Thousand (\$14,000.00) Dollars per annum.

(b) For the Sheriff, a salary of Sixteen Thousand Five Hundred (\$16,500.00) Dollars per annum.

Such salaries shall be in lieu of all other compensation, remuneration or repayment of expenses heretofore provided by law, including, but not limited to, fees, commissions, allowances, percentages and other charges heretofore paid such officers and such salaries shall be payable in equal monthly installments out of the General Fund of the County.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the Circuit Court Clerk and Sheriff hereafter shall be collected and paid into the General Fund of the County by the officer authorized by law to make such collection. Such payment into the General Fund of the County shall be made by the 10th day of the month following collection.

Section 3. The Board of County Commissioners Board of Revenue, or other like governing body of Madison County shall provide the Circuit Clerk with such clerical assistance, quarters, books, stationery, furniture, equipment, postage, travel expenses and such other conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of the office. The said Clerk shall have such clerical assistants and deputies as shall be provided in the budget adopted by the governing body of Madison County, Alabama for the operation of said office. Such clerical assistants and deputies shall serve as the pleasure of the Circuit Court Clerk.

The county governing body shall likewise provide the Sheriff with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences as it may consider necessary for the proper and efficient operation of the Sheriff's office and shall furnish the Sheriff an adequate number of automobiles or other motor vehicles, which shall be repaired, maintained and serviced (including oil, gas, tires, battery service and lubrication necessary for their upkeep and operation) at the Madison County Highway Maintenance Shop, or elsewhere in case of emergency, at the expense of the General Fund of the County under such regulations as the county governing body may prescribe. The Sheriff shall have a chief deputy and such additional deputies as shall be provided in the budget adopted by the governing body of Madison County, Alabama for the operation of said office. Such chief deputy or deputies shall serve at the pleasure of the Sheriff.

On or before August 15 of each year, the Circuit Clerk and Sheriff shall file with the governing body of the County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated

financial requirements for the operation of said office during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the office of Circuit Court Clerk and Sheriff as the county governing body may determine reasonable and proper.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective as to each officer named herein upon the expiration of the current term for which each such officer has heretofore been elected or appointed and at the commencement of the next term of said office.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles Avery, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was, Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 25, July 1, and July 7, all in the year 1969.

CHARLES AVERY.

Sworn to and subscribed before me July 21, 1969.

RALPH H. FORD,
Notary Public.

By Messrs. Jones, McLain, Pennington, Grainger and Laxson (with notice and proof):

H. 1154. To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

Local Legislation No. 4.

Notice and Proof H. 1154:

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis

upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The Register of the Twenty-third Judicial Circuit of Alabama shall be entitled to receive compensation in the form of a salary of Thirteen Thousand (\$13,000.00) Dollars per annum.

Such salary shall be in lieu of all other compensation heretofore provided by law, including but not limited to, fees, commissions, allowances, percentages and other charges heretofore paid such official and shall be payable in equal monthly installments out of the General Fund of Madison County.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the Register hereafter shall be collected and paid into the General Fund of Madison County by the 10th day of each month following collection.

Section 3. The Board of County Commissioners, Board of Revenue, or other like governing body of Madison County shall provide the Register with such clerical assistance, quarters, books, stationery, furniture, equipment, postage, travel expenses and such other conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of the office. The said Register shall have such clerical assistants and deputies as shall be provided in the budget adopted by the governing body of Madison County, Alabama for the operation of said office. Such clerical assistants and deputies shall serve at the pleasure of the Register.

On or before August 15 of each year, the Register shall file with the governing body of the County, a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for operation of said office during the ensuing fiscal year. The governing body of the County shall adopt its budget not later than the first regular meeting in October each year, and the budget so adopted shall make such provision with respect to the financial operation of the Office of Register as the County governing body may determine reasonable and proper.

Section 4. The provisions of this Act are severable. If any of the Act is declared invalid or unconstitutional shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective upon the appointment of the Register by the Presiding Circuit Court Judge of the Twenty-third Judicial Circuit of Alabama and the term of office of the Register shall be concurrent with the term of office of the Presiding Circuit Judge of the Twenty-third Judicial Circuit of Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles Avery, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was, Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Ala-

bama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 25, July 1, and July 7, all in the year 1969.

CHARLES AVERY.

Sworn to and subscribed before me July 21, 1969.

RALPH H. FORD,
Notary Public.

By Messrs. Pennington, McLain, Laxson, Jones and Grainger (with notice and proof):

H. 1155. To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act No. 289, S. 299, 1953 Acts 354).

Local Legislation No. 4.

Notice and Proof H. 1155:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act. No. 289, S 299, 1953 Acts 354).

Be It Enacted by the Legislature of Alabama:

Act No. 289 of the 1953 Acts of Alabama, Regular Session, is amended further to read as follows:

Section 1. All Solicitor's or District Attorney's fees hereafter taxed as costs and collected in all criminal cases in Madison County shall be paid by the Clerk of the Court collecting such fees into the treasury of Madison County, Alabama in a fund to be designated the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided. Such payment shall be made by the 10th day of each month following collection. All monies in the Solicitor's Fund at the time of the passage of this Act shall be paid immediately into the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided.

Section 2. The Board of County Commissioners shall pay all indebtedness and charges against the Solicitor's Fund which are outstanding and unpaid at the time of the passage of this Act upon the certification of the District Attorney that the charge or indebtedness was extant and current at the time of the passage of this Act.

Section 3. The District Attorney of the Twenty-third Judicial Circuit is hereby authorized to requisition expenditures fore the said

District Attorney's Fund for the payment of the following items; (a) office supplies, postage and telephone; (b) necessary expenses relative to obtaining evidence; (c) films, photos and maps; (d) travel expenses at the rate authorized by law for state officials; (e) continuing legal education and conferences; (f) professional dues and assessments; (g) professional books and periodicals for use in the office of the District Attorney of the Twenty-third Judicial Circuit of Alabama; (h) witness fees and transportation costs. The Board of County Commissioners shall pay for such items out of the District Attorney's Fund upon such requisition and upon certification made to the Board of Commissioners by the District Attorney that the funds requested were or are to be used for the purposes enumerated in this section of this Act.

Section 4. The Board of County Commissioners is authorized to make expenditures from the District Attorney's Fund for the defense of indigent defendants in the Madison County Court upon the certification of the Judge of said Court that the defendant was entitled to a defense at public expense in accordance with existing law.

Section 5. On the first day of each and every fiscal year, said fiscal year beginning on the first day of each October and ending the last day of each September, all monies in the District Attorney's Fund which have not been expended as heretofore provided in this Act, shall be transferred to the General Fund of Madison County, Alabama and shall thereafter be expended and used as provided by law.

Section 6. The Chairman of the Board of County Commissioners shall have the power to act for the Board of Commissioners upon the requisitions and in the payment of funds from the District Attorney's Fund.

Section 7. All laws and parts of laws which conflict with this Act are repealed.

Section 8. This Act is severable and if any part hereof is held to be unconstitutional, it shall not be construed to affect those parts which remain.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles Avery, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was, Advertising Manager of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 25, July 1, and July 7, all in the year 1969.

CHARLES AVERY.

Sworn to and subscribed before me July 8, 1969.

ROBERT L. HODGER,
Notary Public.

By Messrs. Grainger, McLain, Pennington, Jones and Laxson.

H. 1156. To amend further the act approved July 7, 1965 providing for the creation of a county license department in counties having a population of not less than 115,000 nor more than 165,000 according to the 1960 or subsequent federal decennial census, electing to come under the provisions of said Act (Act 103, S. 222, Regular Session, 1965) by providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities.

Local Legislation No. 4.

By Messrs. McLain, Pennington, Laxson, Grainger and Jones:

H. 1157. Proposing an amendment to the Constitution relating to the levying of a special school tax in School District No. 1, Madison County, Alabama, which comprises all of Madison County, Alabama except for the City of Huntsville, Alabama.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McLain, Pennington, Jones, Laxson and Grainger:

H. 1158. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000 according to the last federal decennial census.

Local Legislation No. 4.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1159. Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Local Legislation No. 1.

Notice and Proof H. 1159:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief deputy and all other deputies of the sheriff of Marengo County whose compensation is paid from the county treasury shall possess all qualifications as to age and residence as may be prescribed by law and in addition each deputy must be a high school graduate with a high school diploma or its equivalent.

Section 2. The chief deputy sheriff of Marengo County shall be paid not less than \$510 nor more than \$610 a month. The starting salary of the chief deputy shall be \$510 per month, which may be increased to \$535 after six months and further increased by \$25 annually until the maximum is reached.

Section 3. The other two deputies of the sheriff of Marengo County whose compensation is paid by the county shall each be paid a salary of not less than \$460 nor more than \$560 a month. The starting salary for each of such deputies shall be \$460 per month, which may be increased to \$485 after six months and further increased by \$25 per month annually until the maximum is reached.

Section 4. The jailer for Marengo County shall be paid a salary of not less than \$300 nor more than \$400 a month, as fixed and determined by the county governing body.

Section 5. Salary raises for the chief deputy and other deputies shall be in the sole discretion of the sheriff. The county governing body shall fix the compensation of each deputy within the limitations prescribed in this Act upon the recommendations of the sheriff.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA MARENGO COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared Goodloe Sutton, who is known to me, and who being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a Second Class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in said newspaper, The Democrat-Reporter, for 4 consecutive weeks, to wit:—in the issues dated: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969 and that each of above specified issues was duly circulated among the subscribers of said newspaper.

GOODLOE SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this, the 21st day of July, 1969.

JEAN R. SUTTON,
Notary Public.

My Commission expires March 10, 1971.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1160. To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1160:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Ala.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of York in Sumter County, Ala., are hereby altered, extended, and rearranged so that in addition to the territory presently embraced therein, all of the lands lying within the bounds hereinafter described will lie and be within the boundaries and corporate limits of such city:

Begin at the Southwest corner of the NW $\frac{1}{4}$ of Section 29, Township 18 North, Range 3 West, Sumter County, Ala., thence run North along the West line of said NW $\frac{1}{4}$ of Section 29 to the South right of way of Proposed Interstate Highway No. 59; thence run Northeasterly along said South right of way of Proposed Interstate Highway No. 59 to the East line of Section 20, Township 18 North, Range 3 West; thence run South along the East Section Lines of said Sections 20 and 29 to the Southeast corner of NE $\frac{1}{4}$ of said Section 29; thence run West along the South line of the N $\frac{1}{2}$ of said Section 29 to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

DICK SMITH.

Sworn to and subscribed before me June 20, 1969.

LOUISE W. HANLEY,
Notary Public.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1161. To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond."

Local Legislation No. 1.

Notice and Proof H. 1161:

STATE OF ALABAMA
MARENGO COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent, and requiring bond."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond," is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA
MARENGO COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared Goodloe Sutton, who is known to me, and who being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a Second Class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in said newspaper, The Democrat-Reporter, for 4 consecutive weeks, to-wit:—in the issues dated: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969 and that each of above specified issues was duly circulated among the subscribers of said newspaper.

GOODLOE SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this, the 21st day of July, 1969.

My Commission expires March 10, 1971. JEAN R. SUTTON,
Notary Public.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1162. Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Local Legislation No. 1.

Notice and Proof H. 1162:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marengo County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and deposited in the county treasury for the general fund.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

THE STATE OF ALABAMA
MARENGO COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared Goodloe Sutton, who is known to me, and who being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a Second Class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in said newspaper, The Democrat-Reporter, for 4 consecutive weeks, to wit:—in the issues dated: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969 and that each of above specified issues was duly circulated among the subscribers of said newspaper.

GOODLOE SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this, the 21st day of July, 1969.

My Commission expires March 10, 1971.

JEAN R. SUTTON,
Notary Public.

By Mr. Tuck (with notice and proof):

H. 1163. Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

Local Legislation No. 1.

Notice and Proof H. 1163:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners, Board of Revenue or other like governing body, of Pickens County, shall meet at least twice in each calendar month on the second and fourth Tuesdays of each month, at the court house or court house annex, to carry out the duties of the governing body as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me July 15, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

By Mr. Tuck (with notice and proof):

H. 1164. To fix the compensation and allowance of election officers in Pickens County.

Local Legislation No. 1.

Notice and Proof H. 1164:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation and allowance of election officers in Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. Election officers in Pickens County who are appointed and serve under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive compensation and allowances as follows: the returning officer and the inspectors and clerks shall each be entitled to ten dollars (\$10), and the returning officer shall receive in addition there to five cents a mile in going to the courthouse and returning to the place of holding the election; the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me July 15, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

By Mr. Tuck (with notice and proof):

H. 1165. To provide for the compensation of the deputy sheriffs of Pickens County.

Local Legislation No. 1.

Notice and Proof H. 1165:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of the deputy sheriffs of Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Pickens County, Alabama, the chief deputy sheriff shall be paid an annual salary of not more than \$6,000.00, and every other deputy sheriff whose salary is payable from the county treasury according to the law shall be entitled to an annual salary of not more than \$5,400.00. The exact amount of each of such salaries shall be fixed by the county governing body and shall be paid in equal monthly installments from the county treasury.

Section 2. Act No. 284, H. 657, Regular Session 1947 (Local Acts 1947, p. 217), an act relating to payment of the compensation of a deputy sheriff of Pickens County, as amended, and all other laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me July 17, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

By Mr. Tuck (with notice and proof):

H. 1166. To provide for compensation of jurors in Pickens County.

Local Legislation No. 1.

Notice and Proof H. 1166:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for compensation of jurors in Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Pickens County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll. However, only one such travel allowance shall be paid a grand jury and only one such travel allowance shall be paid a petit juror for attending court pursuant to one summons. His service and travel expenses shall be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me July 15, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

By Mr. Fite:

H. 1167. To regulate the compensation of jurors in counties having populations of not less than 20,100 nor more than 21,850.

Local Legislation No. 1.

By Mr. Fite:

H. 1168. To regulate the compensation of jurors in counties having populations of not less than 14,500 nor more than 14,900.

Local Legislation No. 1.

By Messrs. McLain, Grainger, Pennington, Jones and Laxson:

H. 1169. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Local Legislation No. 4.

By Mr. Edington:

H. 1170. Proposing an amendment to the Constitution of Alabama to authorize and direct the governing body of Mobile County to pay to the governing body of any municipality within Mobile County the proceeds of the one-fourth of one per centum tax on the taxable property located within such municipality.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Lyons, Nettles, Marr, Perloff, Collins (W), Melton, Edington, Lybrand, Collins (C), Watkins, Downing and Doss:

H. 1171. To prescribe the hours of work and holidays for state troopers, officers and members of the Alabama State Highway Patrol.

State Administration.

By Messrs. Marr, Melton, Downing, Perloff and Pennington:

H. 1172. To amend further Section 1 of Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this state as to doing business herein shall be deemed to have appointed the secretary of state, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served," so as to provide further for the service of process upon non-residents doing business in this state.

Judiciary.

By Messrs. Perloff, Marr, Wood, Downing, Grayson and Collins (W):

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen and fire fighters employed by any city in such counties; to repeal conflicting laws.

Local Legislation No. 3.

By Messrs. Edington, Lyons, Downing, Collins (C) and Grayson:

H. 1174. To amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, to provide funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a county health department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Local Legislation No. 3.

By Messrs. Edington, Lyons, Downing, Collins (C) and Grayson:

H. 1175. To amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as to provide funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

Local Legislation No. 3.

By Mr. Springer:

H. 1176. To amend Sections 13 and 15 of Act No. 221, H. 40, approved April 20, 1965, Special Session 1965, which relates to public school administration; providing further for selection, approval, adoption, purchase, distribution and use of tax-paid textbooks; repealing conflicting laws.

State Administration.

By Mr. McElhaney:

H. 1177. Relating to the qualifications for the practice of chiropractics in the State of Alabama and the qualifications of the Board of Chiropractic Examiners amending Sections 297 (1), 297 (2), 297 (7), 297 (8), 297 (10), and 297 (21) of Title 46 Code of Alabama 1940.

Health.

By Messrs. Doss and Banks:

H. 1178. To amend Sections 1, 2 and 3 of Act No. 587, S. 24, Regular Session 1963 (Acts 1963, p. 1283), an act making it unlawful for persons by the use of a telephone to molest, harrass, threaten or willfully and knowingly, convey certain false information, and to prescribe penalties; so as to make the performance of such acts a felony and to increase the penalty therefor.

Judiciary.

By Mr. Dobbs:

H. 1179. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Local Legislation No. 1.

By Messrs. Bassett and Hardin:

H. 1180. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Brassell (with notice and proof):

H. 1181. Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Local Legislation No. 1.

Notice and Proof H. 1181:

**STATE OF ALABAMA
COUNTY OF RUSSELL**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Russell County is hereby authorized and directed to appropriate and set aside ten per cent of the county's share of the state gasoline excise tax provided for by Act No. 224, H. 220, First Special Session 1967, to be distributed to the several incorporated municipalities in the county on the basis of the ratio of the population of each municipality to the total population of all municipalities in the county according to the most recent federal decennial census.

Section 2. The funds required to be appropriated and set aside by the provisions of this act shall be appropriated for the fiscal year commencing October 1, 1969, and each fiscal year thereafter; and shall be paid to the respective municipalities monthly as soon as practicable after the county receives its portion of the state gasoline tax. All moneys received by municipalities under this act shall be used and expended exclusively for the construction, improvement and maintenance of highways and streets, for traffic control, and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may be pledged.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NOTICE OF PUBLICATION

STATE OF ALABAMA

RUSSELL COUNTY

Before me, the undersigned authority, personally appeared Jane Gullatt, who after being duly sworn, deposes and says: That he is publisher of The Phenix Citizen-Herald, a newspaper published in Phenix City, Russell County, Alabama, in the English language, and said newspaper having been published consecutively for more than twelve months and mailed as second class mail matter in the United States Post Office at Phenix City, Alabama, and that said newspaper has a general circulation in Phenix City, Russell County, Alabama, and that the attached notice of publication pertaining to A Bill; Gasoline Excise Tax, appeared in The Phenix Citizen on the following dates: June 12, 1969; June 19, 1969; June 26, 1969; July 3, 1969.

JANE GULLATT,
Publisher.

Sworn to and subscribed before me on this the 30th day of July, 1969.

DIXIE G. HOLT,
Notary Public.

By Mr. Stubbs (with notice and proof):

H. 1182. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Local Legislation No. 1.

Notice and Proof H. 1182:

STATE OF ALABAMA

COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Be It Enacted by the Legislature of Alabama:

Section 1. The following words, when used in this Act, shall have the meaning ascribed to them below, unless the context clearly indicates a different meaning:

"Person" includes any corporation as well as a natural person.

"Gasoline" means any type of gasoline, naptha, or other liquid motor fuel, or any device or substitute therefor, commonly used in internal combustion engines.

"Diesel fuel" means any type diesel oil, tractor fuel, gas oil, distillate or liquified gas, or any device or substitute therefor.

Section 2. In addition to all other taxes and licenses, there is hereby levied upon every distributor, refiner, retail dealer or storer of gasoline or diesel fuel in Shelby County, Alabama, an excise tax of one cent per gallon upon the selling, distributing, storing or withdrawing from storage in Shelby County for any use, gasoline, or diesel fuel as defined by this Act; provided, the tax shall not be levied or paid on the sale of gasoline, or diesel fuel in the interstate commerce or to the Government of the United States or its agencies, or direct to the State of Alabama. When the tax levied herein shall have been paid by a distributor, refiner, retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The tax shall not be levied or paid on gasoline or diesel fuel which is withdrawn from storage within Shelby County for delivery only to a point or points outside the county, when the distributor or seller of such gasoline, or diesel fuel prepares and files with the governing body of Shelby County written statements sworn to and subscribed, in such form as may be required by the county governing body, showing the name and address of the person to whom the gasoline, or diesel fuel is or has been delivered by the distributor; the volume and kind of such gasoline, or diesel fuel; the dates of such withdrawals; and the point or points outside the county to which such gasoline, or diesel fuel is delivered or is to be delivered.

Section 3. On or before the twentieth day of each month after this Act shall have become effective, every person upon whom the tax levied herein is imposed shall render to the governing body of Shelby County, on forms prescribed by the county governing body, a true and correct statement of all sales and withdrawals of gasoline, or diesel fuel liable for payment of the tax imposed by this Act made by him or them during the next preceding month; shall furnish to the county governing body such additional information as the county governing body may require upon blanks to be formulated and furnished by the county governing body, and, at the time of making such report, shall pay to the county governing body; the tax levied by this Act upon such sales and withdrawals. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths. Any willfully false statement sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

Section 4. All distributors, storers or retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents, or papers, as will clearly show the amount of sales or withdrawals of gasoline, or diesel fuel made in Shelby County and subject to the tax levied by this Act.

Section 5. Within 30 days after this Act shall have become effective, every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline, or diesel fuel in Shelby County shall make

a report on blanks furnished under Section 3 hereof to the governing body of the county, showing the place and post office address at which his business of distributor or storer or retail dealer in gasoline, or diesel fuel is located in the county, which information shall be entered by the county governing body on a book kept for that purpose, and should such distributor, storer, or retail dealer move his place of business from one business address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the county governing body of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. After the passage of this Act, no person shall become a distributor, storer or retail dealer of gasoline, or diesel fuel in Shelby County until he shall have made such report to the county governing body.

Section 6. If any distributor, storer or retail dealer in gasoline, or diesel fuel in Shelby County willfully fails to make any report required by the provisions of this Act, or willfully fails to comply with any lawful regulation adopted by the county governing body for the collection of the tax, or willfully fails to make any report within the time prescribed, or willfully fails to pay the tax imposed within the time fixed for the payment thereof, such distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than fifty dollars nor more than three hundred dollars for each offense.

Section 7. It shall be the duty of the court of county commissioners, board of revenue, or like governing body of Shelby County to enforce the provisions of this Act, and to make any and all rules and regulations necessary and proper for the collection of the tax levied herein. The county governing body or any member thereof or its agents shall have the right to examine the books, report, and accounts of every distributor, storer or retail dealer of gasoline, or diesel fuel subject to such tax.

Section 8. If any distributor, storer or retail dealer in gasoline, or diesel fuel willfully fails to make monthly reports or fails to pay the tax imposed under the authority of this Act, the tax shall be deemed delinquent within the meaning of this Act, and there shall be added to the amount of his tax a penalty of twenty-five percent; provided however, that if in the opinion of the county governing body a good and sufficient cause and reason is shown for such delinquency, the penalty may be remitted. The county governing body is hereby authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the county governing body shall issue execution for the collection of the same, directed to any sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the county tax collector, and make return of such execution to the governing body issuing the same. The tax levied by this Act and the penalty herein provided for shall be held as a debt payable to the county by the person against whom the same shall have been imposed or against whom the penalties shall have accrued; and all such taxes and penalties shall be a lien upon the property in said county and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section 9. The acceptance of any amount paid for the excise tax levied by this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10. Each agent of any railroad company, bus, or truck operator, or other transportation company or agency operating in Shelby County shall report to the county governing body on the first day of October, January, April, and July of each year all shipments of gasoline, or diesel fuel as defined in this Act handled by him or through the station or office which he is an agent, and delivered to any person in Shelby county, Alabama, during the preceding three months, giving the names and addresses of the consignor and consignee shipping and receiving gasoline, or diesel fuel and the number of gallons or pounds contained in each and every shipment.

Section 11. The proceeds of the tax levied by this Act shall be paid into the Gasoline Fund of the Shelby County Board of Revenue and Control and shall be used exclusively for road construction and road maintenance in Shelby County.

Section 12. Gasoline or diesel fuel used for agricultural or industrial purposes and not used to propel motor vehicles upon the public highways of this county is hereby exempt from the levy of tax contained herein and such exemption may be claimed and refund of any such tax paid for such fuel so used shall be made by the Shelby County Board of Revenue and Control in accordance with regulations adopted by said Board and relating to existing State laws providing for refund of such exempt tax. Fuel used for domestic or commercial heating purposes is hereby exempt from the operation of this tax.

Section 13. This Act shall become effective only after passage by the Legislature of the State of Alabama, approval by the Governor, and approval by a majority of the electors participating in a special election to be held in Shelby County on the first Tuesday after the expiration of thirty days after the approval of this Act by the Governor of the State of Alabama. The special election shall be called by the Shelby County Board of Revenue and Control after giving due notice by publication for one week of such election as is provided by law.

Following said special election and in the event of the approval of this tax by the majority of the electors participating therein, this Act shall become effective on the first day or the fifteenth day of the next following month as may be determined by the Shelby County Board of Revenue and Control.

Section 14. The governing body of Shelby County shall be charged with the duty of enforcing the provisions of this Act.

Section 15. Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions thereof.

Section 16. All laws or parts of laws in conflict with this Act are hereby repealed.

THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 1, 8, 15, 22, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 23rd day of May, 1969.

C. W. FOWLER,
Judge of Probate.

By Mr. Smith (with notice and proof):

H. 1183. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1183:

NOTICE

As soon as publication hereof has been completed as required by the constitution and laws of the State of Alabama, the following local Act will be introduced for passage in the Legislature of Alabama:

An Act to extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended altered and rearranged so as to include within the corporate limits of said Town all of the following described territory:

All of the East Half ($E\frac{1}{2}$), the East Half of East Half of West Half ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $W\frac{1}{2}$), the South Three-Fourths of the West Half of Southeast Quarter of Southwest Quarter ($S\frac{3}{4}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$), and the South Three Fourths of the Southwest Quarter of Southwest Quarter ($S\frac{3}{4}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 21; the West Half ($W\frac{1}{2}$) of Section 22; the West Half ($W\frac{1}{2}$) of Section 27; all of Section 28; the West Half ($W\frac{1}{2}$) of Section 34; all of Section 33; and the portions of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) and Fraction "A" of Section 32 that are easterly of the westerly right-of-way line of the old Talladega-Lincoln Highway (1928-38) and northerly of U.S. Interstate 20 Highway right-of-way, all in Township 16 South, Range 5 East, Talladega County, Alabama; also the Northwest Quarter ($NW\frac{1}{4}$) and the North Half of the Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) of Section 3; the North Half ($N\frac{1}{2}$) and North Half of the South Half ($N\frac{1}{2}$ of $S\frac{1}{2}$) of Section 4; and the East Half of the East Half of the East Half of the Northeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$) and the East Half of the East Half of the Northeast Quarter of the Southeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 5, all in Township 17 South, Range 5 East, Talladega County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its publication and approval by the Legislature or upon its otherwise becoming a law.

STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Dorothy Bleick, who being duly sworn according to law, deposes and says that she is the Clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 28, 1969, July 4, 1969, July 11, 1969, and July 18, 1969.

DOROTHY BLEICK.

Subscribed and sworn to before me on this 21st day of July, 1969.

FAYE F. BISHOP,
Notary Public.

By Mr. Smith:

H. 1184. To propose an amendment of Section 232 of the Constitution of 1901 to provide further for suits against foreign corporations doing business in this state.

Conservation.

The above bill was read a first time at length as required by the Constitution.

By Mr. Smith:

H. 1185. Providing that persons, firms and corporations who release, directly or indirectly, into the public waters of the state certain toxic or inherently dangerous substances shall be liable to the state for certain damages resulting from such release, and under certain conditions may be liable for punitive as well as compensatory damages; authorizing and providing for the issuance of permits to release such substance, but only in strict compliance with the conditions stipulated therefor by the state water improvement commission; providing for hearings and appeals relative to orders of the state water improvement commission relative to the discharge of such substances; prescribing the measure of damages when wildlife, aquatic, fish and marine life is lost or destroyed as a result of the release of such substances into the public waters; providing for and regulating the bringing of suits to recover for the state such damages and prescribing the use of any moneys so recovered; and providing that this Act shall not affect the rights of individuals under other laws to recover damages for injuries resulting from the same release of such substances.

Conservation.

By Messrs. Bank, Culver, Robertson and Brown:

H. 1186. To authorize the governing bodies of all counties having populations of not less than 100,000 nor more than 115,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

Local Legislation No. 1.

By Messrs. Culver, Bank, Robertson and Brown (with notice and proof):

H. 1187. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1187:

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be altered, rearranged, and extended so as to include within the Corporate Limits of said City the following additional territory:

As the point of beginning begin at the most southern corner of Lot 37 of the University Lane Addition No. 1, a plat of which is recorded in Plat Book 6 at Page 96 in the office of the Probate Judge of Tuscaloosa County, Alabama, which point is on the present City Limits Line: thence northwestwardly, along the southwest boundary of the said Lot 37, to the most western corner of the said Lot 37; thence north-eastwardly along the northwest boundary of the said Lot 37 to a point, which point is the extension southeastwardly of the southwest boundary of Lot 2 and 3 of the said University Lane Addition No. 1: thence northwestwardly along the extension southeastwardly of the southwest boundary of the said Lot 2 and Lot 3 and along the southwest boundary of Lot 4 of University Lane Subdivision, a plat of which is recorded in Plat Book 6 at Page 64 in the office of the Probate Judge of Tuscaloosa County, Alabama, to the most western corner of the said Lot 4, which point is on the south or southeast right-of-way line of University Lane; thence northeastwardly along the south or southeast right-of-way line of University Lane to a point, which point is the extension southeastwardly of the northeast boundary of Lot 1 of the J. R. Pugh Subdivision, a plat of which is recorded in Plat Book 4 at Page 13 in the office of the Probate Judge of Tuscaloosa County, Alabama; thence northwestwardly along the extension southeastwardly of the northeast boundary of the said Lot 1 and along the northeast boundary of the said Lot 1 to the most northern corner of the said Lot 1; thence southwestwardly along the northwest boundary of the said Lot 1 to a point, which point is on the north or northeast right-of-way line of the Greensboro Road (U.S. Highway No. 82); thence northwestwardly along the north or northeast right-of-way line of the Greensboro Road (U.S. Highway No. 82) for a distance of one hundred eight and fifty hundredths (108.50) feet, more or less, to a point; thence North twenty-nine degrees and thirty minutes East (N29 degrees 30'E) for a distance of six hundred sixty and thirty hundredths (660.30) feet, more or less, to a point; thence northwestwardly with a deflection angle of ninety-three degrees and forty-three minutes (93 degrees 43') to the left for a distance of one hundred ninety-one and thirty hundredths (191.30) feet, more or less, to a point; thence northeastwardly with a deflection angle of eighty-six degrees and fifty minutes (86 degrees 50') to the right, for a distance of one hundred (100.00) feet to a point; thence southeastwardly, with a deflection angle of ninety-three degrees and fifteen minutes (93 degree 15') to the right, for a distance of two hundred two and forty hundredths (202.40) feet to a point; thence North twenty-nine degrees and thirty minutes East (N29 degree 30'E) for a distance of one hundred twenty (120.00) feet, more or less, to a point; thence North sixty-seven degrees and forty minutes West (N67 degree 40'W) for a distance of two hundred fourteen (214.00) feet, more or less, to a point; thence North twenty-nine degrees and thirty minutes East (N 29 degrees 30'E) for a distance of one hundred twenty-five (125.00) feet, more or less, to a point; thence South sixty-seven degrees and forty minutes East (S67 degrees 40'E) for a distance of two hundred fourteen (214.00) feet, more or less, to a point, thence North thirty-six degrees and fifty minutes East (N36 degrees 50'E) for a distance of four hundred eighty-nine (489.00) feet, more or less, to a point; thence North eighty-nine degrees and zero minutes East (N89 degrees 00'E) for a distance of three hundred five (305.00) feet, more or less, to a point, which point is on the northwest boundary of Lot 7 of the said J. R. Pugh Subdivision; thence northeastwardly along the

northwest boundary of Lots 7 through 10 of the said J. R. Pugh Subdivision to the most northern corner of the said Lot 10, which is also the southwest corner of Lot 3 of the Newton Subdivision No. 2, a plat of which is recorded in Plat Book 9 at Page 106 in the office of the Probate Judge of Tuscaloosa County, Alabama; thence southeastwardly along the southwest boundary of Lot 3 of the said Newton Subdivision No. 2 to the southeast corner of Lot 3 of the said Newton Subdivision No. 2, which point is also the most western corner of Lot 1 of the said Newton Subdivision No. 2; thence northeastwardly along the northwest boundary of Lot 1 and Lot 2 of the said Newton Subdivision No. 2 to the most northern corner of Lot 2 of the said Newton Subdivision No. 2; thence southeastwardly along the northeast boundary of Lot 2 of the said Newton Subdivision No. 2 and its extension southeastwardly to a point, which point is on the south or southeast right-of-way line of University Lane; thence southwestwardly along the south or southeast right-of-way line of University Lane to a point, which point is the most northern corner of Lot 19 of the said University Lane Subdivision; thence southeastwardly along the northeast boundary of the said Lot 19 to the most eastern corner of the said Lot 19; thence southwardly and southwestwardly along the east and southeast boundary of the said University Lane Addition No. 1 to the most southern corner of Lot 37 of the said University Lane Addition No. 1 and the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me July 3, 1969.

LULLENE DuBOSE,
Notary Public.

By Messrs. Robertson and Fite:

H. 1188. To make an appropriation from the state treasury for the construction, equipment and maintenance of an office building for the Department of Public Safety District No. 7 and for the rebuilding or remodeling of certain substations in said district.

Transportation.

By Messrs. McDonald and Drake:

H. 1189. To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than

49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Cook (Jefferson), Gloor, Yeilding, Sessions, Money, Weeks, Holman, Cherner, Jackson (T), House, Watkins, Ellis, Bowers, Gafford and Adwell:

H. J. R. 94. WHEREAS, in 1965 Governor George Wallace appointed Honorable W. Cooper Green as President of the County Commission of Jefferson County, Alabama, to fill a vacancy in that position; and,

WHEREAS, the said Green during the remainder of that term for which he was appointed, and during the succeeding term to which the people of Jefferson County elected him, has worked diligently to secure greatly needed hospital facilities for the indigent sick of the County; and,

WHEREAS, his efforts have contributed immeasurably to the establishment of the large hospital which will provide care for those afflicted with illness; and,

WHEREAS, Cooper Green, as Mayor of the City of Birmingham, as a vice president of one of the industrial giants of the State and as President of the County Commission of Jefferson County, has worked tirelessly and effectively for the advancement and development of Jefferson County and especially for those in need; and,

WHEREAS, it is the province of the County Commission of Jefferson County to name the said hospital; and,

WHEREAS, this Legislature is desirous of bringing to the attention of the County Commission the desirability of naming the said hospital in honor of Cooper Green, in recognition of his diligent efforts to establish the said hospital;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that this Legislature request, and it does hereby request, the County Commission of Jefferson County, Alabama, to name and designate the said hospital as Cooper Green Mercy Hospital.

On motion of Mr. Cook (Jefferson), the rules were suspended and H. J. R. 94 was adopted.

Also:

By Mr. Turnham:

H. J. R. 95. WHEREAS Robert R. (Bob) Chesnutt, widely read farm writer and author of agricultural bulletins with the Auburn Extension Service, died recently while addressing an audience on the Auburn campus; and

WHEREAS Mr. Chesnutt, through his informational programs projected by his newspaper column, and his radio and television broadcasts, made an inestimable contribution to the development of agriculture in Alabama during the past 20 years; and

WHEREAS Mr. Chesnutt, a native of Montevallo and a graduate of Auburn, after a long and productive career in the field of agricultural information, was named chairman of the Extension Information Division at Auburn in 1965, and held this most responsible post until his tragic death; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Robert R. (Bob) Chesnutt, and express our sympathy to his widow and two sons; and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each of the sons and the widow of Robert R. Chesnutt.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 95 was adopted.

Also:

By Mr. Turnham:

H. J. R. 96. WHEREAS Mrs. Sara F. Blackerby, who is one of this State's most valued employees, plans to retire on September 30, 1969, after more than twenty-eight years of state service; and

WHEREAS Mrs. Blackerby was first employed by the State Department of Industrial Relations on August 20, 1941 and was transferred to the office of the Secretary of State on October 8, 1951 where she has served continuously and most effectively during five terms of Secretaries of State; and

WHEREAS Mrs. Blackerby's comprehensive knowledge of the work in that office to the most minute detail has been invaluable to each Secretary of State under whom she has served. Her services to the various county and state officers and employees who so frequently call upon her are always rendered with crisp efficiency and unlimited cheerfulness. Her dedication to her duties and her grasp of the workings of that office have smoothed the transition from one administration to each succeeding administration; and

WHEREAS despite Mrs. Blackerby's outstanding dedication, efficiency and good spirits, these fine attributes do not surpass her good looks, which are indeed notable; now therefore

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we shall not only greatly miss the excellent services of Mrs. Blackerby but we shall also miss her exuberant and gracious presence in the Capitol. We extend to her all best wishes for many, many happy years of retirement which she so richly deserves.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 96 was adopted.

Also:

By Mr. Bank:

H. J. R. 97. Authorizing The Board of Trustees of the University of Alabama to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower."

WHEREAS, Dr. and Mrs. Frank A. Rose will leave the University of Alabama on September 5, after a twelve-year tenure of devoted service to this great institution; and

WHEREAS, the administration of Frank A. Rose as President of the University has provided the University with its period of greatest growth and for which the citizens of Alabama will forever be indebted; and

WHEREAS, Tommye Stewart Rose has served as the University's First Lady during this period, gracing the President's Mansion with charm and dignity, and substantially contributing to the success of the Rose administration.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower" in honor of Dr. and Mrs. Rose.

On motion of Mr. Bank, the rules were suspended and H. J. R. 97 was adopted.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. House and Sessions, unanimous consent was granted for their names to be added as co-sponsors of H. J. R. 97.

Also:

By Mr. McElhaney:

H. J. R. 98. WHEREAS, Clinton B. (Kiki) Smith is representing Alabama at Boys' Nation, and

WHEREAS, Clinton Smith served as Lieutenant Governor of Boys' State, and

WHEREAS, this young man is a resident of Montgomery and attends Sidney Lanier High School, and

WHEREAS, Clinton B. Smith has been chosen by his party as their presidential nominee, and

WHEREAS, the members of the Legislature wish to congratulate this young man for the recognition given to him and to Alabama; now therefore.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Clinton B. Smith for his leadership and on being such a shining example of Alabama's youth.

On motion of Mr. McElhaney, the rules were suspended and H. J. R. 98 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Garrett that the House adjourn until two o'clock P. M., Tuesday, July 29, 1969, was lost.

Yeas 7; Nays 44.

Yeas:

Messrs.:	Doss	Mathews	Shumate
Brannan	Garrett	Melton	Slate

—7

Nays:

Mr. Speaker	Downing	Laxson	Owens (W)
Adwell	Drake	Lemley	Pearson
Bank	Ellis	Lybrand	Pennington
Bassett	Fine	Lyons	Robertson
Brassell	Graham	McElhaney	Smith
Brown	Grayson	McLain	Springer
Collins (W)	Harper	Meade	Steagall
Cook (Coffee)	Hill	Meeks	Stembridge
Cook (Jefferson)	Holman	Merrill	Tuck
Culver	House	Money	Williams
Dobbs	Jackson (T)	Nettles	Young

—44

BILLS ON THIRD READING

And the bill:

H. 860. Relating to all counties having populations of lot less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Robertson
Beck	Gafford	Lyons	Sessions
Berryman (W)	Garrett	Malone	Shumate
Blanton	Graham	Marr	Springer
Brannan	Grainger	Mathews	Steagall
Brassell	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cherner	Harper	Meade	Tuck
Collins (W)	Harris	Melton	Turnham
Cook (Coffee)	Hill	Merrill	Watkins
Crane	Holman	Money	Williams
Crawford	House	Nettles	Wood
Dobbs	Jackson (T)	Owens (W)	Yelding
Downing	Jones	Pearson	Young
Drake	Kilgore		

—66

And the bill:

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pennington
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Sessions
Berryman (W)	Gafford	Malone	Shumate
Blanton	Graham	Marr	Springer
Brannan	Grainger	Mathews	Steagall
Brassell	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cherner	Harper	Meade	Tuck
Collins (W)	Harris	Melton	Turnham
Cook (Coffee)	Hill	Merrill	Watkins
Cook (Jefferson)	Holman	Money	Williams
Crane	House	Nettles	Wood
Crawford	Jackson (T)	Owens (W)	Yeilding
Dobbs	Jones	Pearson	Young
Downing			

—65

MOTION IN WRITING

Mr. McElhaney offered the following Motion in Writing:

Having voted with the prevailing side with which House Bill 342 was defeated, I now move to reconsider the vote by which the bill was defeated.

And the motion was adopted.

Yeas 55; Nays 20.

Yeas:

Messrs.:	Crawford	House	Nettles
Adwell	Culver	Jackson (T)	Owens (W)
Bank	Dill	Jones	Owens (W.E.)
Bassett	Dobbs	Kilgore	Pearson
Blanton	Downing	Lybrand	Robertson
Bowers	Edington	Lyons	Sessions
Brannan	Gloor	Malone	Smith
Brassell	Graham	Mathews	Snell
Cameron	Grayson	Mays	Springer
Cherner	Hain	McElhaney	Stembridge
Collins (W)	Harris	McLain	Waggoner
Cook (Coffee)	Hill	Melton	Watkins
Cook (Jefferson)	Hobbie	Merrill	Weeks
Crane	Holman	Money	Williams

—55

Nays:

Mr. Speaker	Doss	Headley	Steagall
Agee	Drake	Laxson	Stubbs
Beck	Ellis	Lemley	Turnham
Berryman (W)	Fine	Shumate	Yeilding
Burgreen	Garrett	Slate	Young

—20

And the bill, as amended:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

Was again read a third time at length and passed.

Yeas 47; Nays 34.

Yeas:

Messrs.:	Crawford	House	Owens (W.E.)
Adwell	Culver	Jackson (T)	Pearson
Bank	Dill	Kilgore	Perloff
Bassett	Downing	Lybrand	Sessions
Blanton	Edington	Lyons	Snell
Brannan	Gloor	Malone	Springer
Brassell	Graham	Mathews	Stembridge
Cameron	Grayson	Mays	Waggoner
Cherner	Harris	McElhaney	Watkins
Collins (W)	Hill	McLain	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Cook (Jefferson)	Holman	Nettles	Wood

—47

Nays:

Mr. Speaker	Fine	McCorquodale	Slate
Agee	Gafford	McDonald	Smith
Beck	Garrett	Meade	Steagall
Berryman (W)	Grainger	Melton	Stubbs
Burgess	Hain	Money	Tuck
Burgreen	Headley	Owens (W)	Turnham
Dobbs	Laxson	Pruitt	Yeilding
Doss	Lemley	Shumate	Young
Drake	Marr		

—34

And the bill:

H. 513 (with amendments). Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Was taken up.

The question was on the adoption of Amendment #1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend HB 513 by striking therefrom the whole of Section 12 and inserting in lieu thereof the following:

"Section 12. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act. There is hereby created in the State Treasury a fund which shall be known as the Constitutional Commission Fund. This fund shall consist of: (a) all moneys appropriated to the Commission by the State Legislature of Alabama; (b) all moneys received by the Commission by appropriation from county or municipal governments. The fund shall be used and expended as directed by the Commission."

AMENDMENT TABLED

On motion of Mr. Smith, the Amendment #1 reported by the Standing Committee on Ways and Means was tabled.

The question then was on the adoption of Amendment #2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend HB 513 by striking therefrom the whole of Section 13 and inserting in lieu thereof the following:

"Section 13. There is hereby appropriated to the Commission from the State General Fund the sum of \$100,000.00."

AMENDMENT TABLED

On motion of Mr. Smith, the Amendment #2 reported by the Standing Committee on Ways and Means was tabled.

Mr. Ellis offered the following substitute to the bill, H. 513:

A BILL
TO BE ENTITLED
AN ACT

Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Alabama Constitutional Commission, hereinafter referred to as "Commission", consisting of twenty-five members appointed as hereinafter provided.

Section 2. The Commission shall consider and investigate the necessity for and the extent and nature of desirable amendments to or general revision of the Constitution of 1901 of Alabama, and the appropriate procedures for submission and adoption of such amendments or revisions.

Section 3. The Commission shall make specific recommendations for amendments or revisions of the Constitution in a report to the Legislature through the President of the Senate and Speaker of the House of Representatives, and to the Governor, on or before the commencement of the Regular Session of the Legislature in 1971.

Section 4. The Commission shall hold public hearings, which shall be attended by not less than five members of the Commission, with respect to all constitutional amendments or revisions proposed to be recommended in its report in each of the Cities of Decatur, Birmingham, Montgomery and Mobile at such times as it may determine, and it may hold such hearings at such other places and times as it may determine. The substance of all proposals to be discussed at such hearings shall be published at least two weeks in advance of the hearings in a daily newspaper or newspapers of general circulation in the area of the hearings as the Commission shall select.

Section 5. The Commission is authorized to employ professional assistants and advisers and clerical and other personnel and to appoint such advisory committees, all as it deems necessary; provided, however, that all persons employed and appointed under this section shall be bona fide residents of Alabama.

Section 6. All agencies of the State and its political subdivisions, including all colleges and universities supported in whole or in part by state funds, are directed to furnish such offices, facilities, advice, assistance and information as the Commission may request, to the extent reasonably within the ability of the agency, and the Commission is authorized to request and receive the benefits of same.

Section 7. The Commission shall cause its final report and such tentative and interim reports and recommendations as it may determine, to be printed for general circulation in such form and quantities, and on such terms as it shall prescribe. All of said reports and recommendations shall be of a public nature and shall be printed as provided in Code of Alabama, Title 55, Chapter 4, Article 4, Subdivision 2.

Section 8. The Commission shall consist of twenty-five members, of whom at least two shall reside in each Congressional District, selected as follows:

- (a) Fourteen members shall be appointed by the Governor;
- (b) The President of the Senate and the Speaker of the House shall be members of said Committee by reason of their office;
- (c) Three members shall be appointed by the Speaker of the House from the membership of the House;
- (d) Two members shall be appointed by the President of the Senate from the membership of the Senate;
- (e) The Chairman and Vice-Chairman of the Legislative Council shall be members by reason of their office;
- (f) The Chairman and Vice-Chairman of the joint House-Senate Constitutional Revision Committee of 1967 shall be members by reason of their office.

Section 9. All appointments and acceptances shall be filed with the Clerk of the House, and published with the Acts of the Legislature. Members shall not be subject to removal. Vacancies resulting from death, incapacity as determined by the Commission, or resignation shall be filled by the officer making the appointment to the place in which the vacancy occurs. The Commission shall, by a majority vote of the whole Commission, designate one of its members as Chairman.

Section 10. The members of the Commission shall be entitled to receive thirty dollars (\$30.00) per diem and mileage on actual meeting days.

Section 11. The Commission shall adopt such rules, regulations and procedures for the conduct of its hearings, its committee meetings and other business of the Commission, as the Commission shall best determine. In adopting reports, making recommendations, determining the holding of public hearings, authorizing the use or disbursement of funds, and in other matters requiring Commission approval, the Commission shall act by a majority of its members present at a meeting thereof at which a quorum is present or by the written consent of a majority of its members. For the purposes of this Section, a quorum shall consist of thirteen members of the Commission.

Section 12. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act. There is hereby created in the State Treasury a fund which shall be known as the Constitutional Commission Fund. This fund shall consist of: (a) all moneys appropriated to the Commission by the State Legislature of Alabama; (b) all moneys received by

the Commission by appropriation from county or municipal governments. The fund shall be used and expended as directed by the Commission.

Section 13. There is hereby appropriated to the Commission from the State General Fund the sum of \$100,000.00.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 55; Nays 10.

Yeas:

Mr. Speaker	Edington	Manley	Slate
Adwell	Fine	Mathews	Smith
Berryman (W)	Garrett	Mays	Snell
Bowers	Graham	McDonald	Springer
Brannan	Grainger	McLain	Steagall
Brassell	Grayson	MEEKS	Tuck
Burgreen	Hain	Merrill	Turnham
Cherner	Harper	Money	Watkins
Cook (Coffee)	Harris	Nettles	Weeks
Crane	Holman	Owens (W)	Williams
Dill	Laxson	Owens (W.E.)	Wood
Dobbs	Lemley	Pearson	Yeilding
Downing	Lybrand	Pennington	Young
Drake	Malone	Sessions	

—55

Nays:

Messrs.:	Burgess	Marr	Shumate
Bassett	Collins (W)	Melton	Stubbs
Brown	Lyons	Pruitt	

—10

Mr. Nettles offered the following amendment to the bill, H. 513, as amended:

Amend Section 8 (c) of the Substitute to House Bill 513 by deleting Section 8 (c) in its entirety and inserting in lieu thereof the following:

"Section 8 (c): Three members shall be elected by the members of the House from the membership of the House."

Also, Amend Section 8 (d) of the Substitute to House Bill 513 by deleting Section 8 (d) in its entirety and inserting in lieu thereof the following:

"Section 8 (d): Two members shall be elected by the members of the Senate from the membership of the Senate."

On motion of Mr. Ellis, the amendment offered by Mr. Nettles to the bill, H. 513, was tabled.

Yeas 44; Nays 30.

Yeas:

Mr. Speaker	Blanton	Cook (Coffee)	Drake
Agee	Bowers	Cook (Jefferson)	Ellis
Bank	Brassell	Culver	Fine
Bassett	Collins (W)	Dobbs	Garrett

Graham	Lyons	Merrill	Smith
Hain	Manley	Money	Springer
Harper	Marr	Owens (W)	Steagall
Harris	Mathews	Pearson	Tuck
House	Mays	Pennington	Watkins
Laxson	McDonald	Perloff	Weeks
Lybrand	Meeks	Sessions	Wood

—44

Nays:

Messrs.:	Crawford	Lemley	Snell
Adwell	Dill	Malone	Stembridge
Berryman (W)	Doss	McElhaney	Stubbs
Brannan	Downing	McLain	Turnham
Brown	Gloor	Melton	Williams
Burgess	Grainger	Nettles	Yeilding
Burgreen	Jackson (T)	Owens (W.E.)	Young
Crane	Jones	Slate	

—30

Mr. McCorquodale moved that the bill, H. 513, be carried over until the twenty-fourth legislative day.

On motion of Mr. Smith, the motion of Mr. McCorquodale to carry over was tabled.

Yeas 44; Nays 35.

Yeas:

Mr. Speaker	Garrett	Mathews	Slate
Blanton	Gloor	McDonald	Smith
Bowers	Graham	McElhaney	Snell
Brassell	Grainger	McLain	Springer
Burgreen	Hain	Meeks	Steagall
Cook (Coffee)	Harper	Merrill	Stembridge
Doss	Harris	Nettles	Waggoner
Downing	Hill	Owens (W.E.)	Watkins
Drake	Holman	Pearson	Weeks
Edington	Jackson (T)	Pennington	Williams
Ellis	Jones	Sessions	Wood

—44

Nays:

Messrs.:	Cook (Jefferson)	Lemley	Owens (W)
Agee	Crawford	Lyons	Perloff
Bassett	Dill	Malone	Pruitt
Berryman (W)	Dobbs	Manley	Shumate
Brannan	Fine	Marr	Stubbs
Brown	Grayson	Mays	Tuck
Burgess	House	McCorquodale	Turnham
Cherner	Kilgore	Melton	Yeilding
Collins (W)	Laxson	Money	Young

—35

Mr. McCorquodale moved that the bill, H. 513, be carried over to the twenty-third legislative day.

On motion of Mr. Smith, the motion of Mr. McCorquodale to carry over was tabled.

Yeas 45; Nays 37.

Yeas:

Mr. Speaker	Ellis	Lybrand	Slate
Berryman (W)	Garrett	McDonald	Smith
Blanton	Gloor	McElhaney	Snell
Bowers	Grainger	McLain	Springer
Brassell	Hain	Meeks	Steagall
Burgreen	Harper	Merrill	Stembridge
Cherner	Harris	Nettles	Waggoner
Cook (Coffee)	Hill	Owens (W.E.)	Watkins
Doss	Holman	Pearson	Weeks
Downing	Jackson (T)	Pennington	Williams
Drake	Jones	Sessions	Wood
Edington			

—45

Nays:

Messrs.:	Crawford	Lyons	Owens (W)
Agee	Dill	Malone	Perloff
Bank	Dobbs	Manley	Pruitt
Bassett	Fine	Marr	Shumate
Brannan	Graham	Mathews	Stubbs
Brown	Grayson	Mays	Tuck
Burgess	House	McCorquodale	Turnham
Collins (W)	Kilgore	Melton	Yeilding
Cook (Jefferson)	Laxson	Money	Young
Crane	Lemley		

—37

And the bill, H. 513, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 18.

Yeas:

Mr. Speaker	Downing	Jones	Sessions
Adwell	Drake	Laxson	Slate
Bank	Edington	Lybrand	Smith
Berryman (W)	Ellis	Malone	Snell
Blanton	Fine	Mathews	Springer
Bowers	Garrett	Mays	Steagall
Brannan	Gloor	McDonald	Stembridge
Brassell	Graham	McElhaney	Turnham
Burgreen	Grainger	McLain	Waggoner
Cherner	Hain	Meeks	Watkins
Cook (Coffee)	Harper	Merrill	Weeks
Cook (Jefferson)	Harris	Nettles	Williams
Crane	Hill	Owens (W.E.)	Wood
Crawford	Holman	Pearson	Yeilding
Dill	Jackson (T)	Pennington	Young
Doss			

—61

Nays:

Messrs.:	Dobbs	Manley	Owens (W)
Bassett	Gafford	Marr	Pruitt
Brown	Grayson	McCorquodale	Shumate
Burgess	Lemley	Melton	Stubbs
Collins (W)	Lyons	Money	

—18

And the bill:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Drake	Lybrand	Perloff
Adwell	Edington	Lyons	Pruitt
Bank	Ellis	Malone	Robertson
Bassett	Fine	Manley	Sessions
Blanton	Gafford	Marr	Shumate
Bowers	Gloor	Mays	Slate
Brannan	Graham	McCorquodale	Smith
Brasseil	Grainger	McDonald	Snell
Burgreen	Hain	McElhaney	Springer
Collins (W)	Harper	Meeks	Steagall
Cook (Coffee)	Harris	Melton	Stembridge
Cook (Jefferson)	Hill	Merrill	Stubbs
Crane	Holman	Money	Turnham
Crawford	House	Nettles	Weeks
Dill	Jackson (T)	Owens (W)	Williams
Dobbs	Jones	Owens (W.E.)	Wood
Doss	Kilgore	Pearson	Yeilding
Downing	Lemley	Pennington	Young

—72

Nays: Messrs. Brown, Burgess and Cherner.

—3

And the bill:

H. 227. Relating to banks and banking; requiring certain proof of responsibility to effect a change in control of any state bank or trust company; providing penalties for violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Lyons	Robertson
Agee	Edington	Malone	Sessions
Bank	Ellis	Manley	Shumate
Bassett	Fine	Marr	Slate
Bowers	Gafford	Mays	Snell
Brannan	Gloor	McCorquodale	Springer
Brassell	Graham	McDonald	Steagall
Brown	Grayson	McElhaney	Stembridge
Burgreen	Hain	Meeks	Stubbs
Cherner	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Turnham
Cook (Jefferson)	Hill	Money	Waggoner
Crane	Holman	Nettles	Weeks
Crawford	House	Owens (W.E.)	Williams
Culver	Jackson (T)	Pearson	Wood
Dill	Jones	Pennington	Yeilding
Doss	Lemley	Pruitt	Young
Downing	Lybrand		

—70

And the bill:

H. 228. Relating to the state banking department; amending Section 9 of Act No. 204, H. 30, Regular Session 1955 (Acts 1955, p. 497),

so as to provide further for the authority and duties of the deputy superintendent of banks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Pruitt
Agee	Edington	Lyons	Robertson
Bank	Ellis	Malone	Sessions
Bassett	Fine	Manley	Slate
Bowers	Gafford	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McDonald	Stembridge
Burgreen	Hain	McElhaney	Stubbs
Cherner	Harper	Meeks	Tuck
Collins (W)	Harris	Melton	Turnham
Cook (Jefferson)	Hill	Merrill	Waggoner
Crane	Holman	Money	Weeks
Crawford	House	Nettles	Williams
Dill	Jackson (T)	Owens (W.E.)	Wood
Doss	Jones	Pearson	Yeilding
Downing	Kilgore	Pennington	Young

—72

And the bill:

H. 765. To provide for the repair/or lease of heavy duty off-high-way construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 7.

Yeas:

Mr. Speaker	Doss	Jones	Pruitt
Adwell	Downing	Kilgore	Robertson
Agee	Drake	Laxson	Sessions
Bank	Edington	Lemley	Shumate
Beck	Fine	Lybrand	Slate
Berryman (W)	Gafford	Malone	Snell
Blanton	Gloor	Manley	Springer
Bowers	Graham	Mays	Steagall
Brannan	Grainger	McElhaney	Stembridge
Brassell	Grayson	Meade	Stubbs
Brown	Hain	Meeks	Tuck
Burgess	Harper	Melton	Turnham
Burgreen	Harris	Merrill	Waggoner
Cook (Jefferson)	Hill	Money	Weeks
Crane	Holman	Owens (W.E.)	Williams
Crawford	House	Pearson	Yeilding
Dobbs	Jackson (T)	Pennington	Young

—68

Nays:

Messrs.:	Collins (W)	Lyons	Nettles
Cherner	Dill	Marr	Owens (W)

—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 51. Designating the Wenonah State Junior College in Birmingham the Theodore Alfred Lawson Junior College.

McDOWELL LEE,
Secretary.

And the bill:

H. 230. Relating to banks and banking; providing further for the qualifications of directors of certain banks; amending Code of Alabama 1940, Title 5, Section 185.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Owens (W)
Adwell	Doss	Kilgore	Owens (W.E.)
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Pruitt
Bassett	Edgington	Lybrand	Robertson
Berryman (W)	Ellis	Lyons	Sessions
Blanton	Fine	Malone	Slate
Bowers	Gafford	Manley	Snell
Brannan	Gloor	Marr	Steagall
Brassell	Graham	Mays	Stubbs
Brown	Grainger	McDonald	Tuck
Burgreen	Grayson	McElhaney	Turnham
Cherner	Hain	McLain	Waggoner
Collins (W)	Harper	Meeks	Weeks
Cook (Coffee)	Harris	Melton	Williams
Cook (Jefferson)	Hill	Merrill	Wood
Crane	Holman	Money	Yeilding
Crawford	House	Nettles	Young
Dill	Jackson (T)		

—74

And the bill:

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Perloff
Adwell	Doss	Laxson	Pruitt
Agee	Downing	Lemley	Robertson
Bank	Drake	Lyons	Sessions
Bassett	Edington	Malone	Shumate
Berryman (W)	Ellis	Manley	Slate
Blanton	Fine	Marr	Snell
Bowers	Gafford	Mays	Steagall
Brannan	Graham	McElhaney	Stembridge
Brassell	Grainger	Meeks	Stubbs
Brown	Grayson	Melton	Tuck
Burgreen	Hain	Merrill	Turnham
Cherner	Harper	Money	Waggoner
Collins (W)	Harris	Nettles	Weeks
Cook (Coffee)	Hill	Owens (W)	Williams
Cook (Jefferson)	Holman	Owens (W.E.)	Wood
Crane	House	Pearson	Yeilding
Crawford	Jackson (T)	Pennington	Young
Dill	Jones		

—74

And the bill:

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Adwell	Downing	Laxson	Pennington
Agee	Edington	Lybrand	Perloff
Bank	Ellis	Lyons	Pruitt
Bassett	Fine	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Gloor	Marr	Slate
Bowers	Graham	Mays	Snell
Brannan	Grainger	McDonald	Steagall
Brassell	Hain	McElhaney	Stembridge
Brown	Harper	Meeks	Stubbs
Burgess	Harris	Melton	Tuck
Burgreen	Hill	Merrill	Waggoner
Cherner	Holman	Money	Weeks
Collins (W)	House	Nettles	Wood
Cook (Jefferson)	Jackson (T)	Owens (W)	Yeilding
Crane	Jones	Owens (W.E.)	Young
Crawford			

—69

And the bill:

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961, (Acts of Alabama of 1961, p. 1955), as amended, which Act regulated the teaching and practice of cosmeto-

logy in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefor so as to make such Act applicable to all counties of the State of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W.E.)
Adwell	Dobbs	Jones	Pearson
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lybrand	Sessions
Blanton	Fine	Lyons	Slate
Bowers	Gafford	Malone	Snell
Brannan	Gloor	Manley	Steagall
Brassell	Graham	Marr	Stembridge
Brown	Grainger	Mays	Stubbs
Burgess	Grayson	McElhaney	Tuck
Burgreen	Hain	Meeks	Waggoner
Cherner	Harper	Melton	Weeks
Collins (W)	Harris	Merrill	Wood
Cook (Jefferson)	Hill	Money	Yeilding
Crane	Holman	Nettles	Young
Crawford	House	Owens (W)	

—71

And the bill:

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 8.

Yeas:

Mr. Speaker	Edington	Laxson	Pearson
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Pruitt
Bassett	Gloor	Lyons	Robertson
Berryman (W)	Graham	Malone	Sessions
Blanton	Grainger	Manley	Shumate
Bowers	Grayson	Marr	Slate
Brannan	Hain	Mays	Snell
Brassell	Harper	McElhaney	Steagall
Brown	Harris	Meeks	Stembridge
Burgreen	Hill	Melton	Stubbs
Collins (W)	Holman	Merrill	Tuck
Cook (Coffee)	House	Money	Waggoner
Dobbs	Jackson (T)	Nettles	Weeks
Doss	Jones	Owens (W)	Williams
Downing	Kilgore	Owens (W.E.)	Wood
Drake			

—65

Nays:

Messrs.:
Burgess
Cherner

Crane
Crawford

Dill
Gafford

Yeilding
Young

—8

And the bill:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones	Pruitt
Adwell	Dill	Kilgore	Robertson
Agee	Dobbs	Lemley	Sessions
Bank	Downing	Lybrand	Shumate
Bassett	Drake	Lyons	Slate
Berryman (W)	Edington	Malone	Snell
Blanton	Fine	Manley	Springer
Bowers	Gafford	Marr	Steagall
Brannan	Graham	Mays	Stembridge
Brassell	Grainger	Meeks	Stubbs
Brown	Grayson	Melton	Tuck
Burgess	Hain	Merrill	Waggoner
Burgreen	Harper	Money	Weeks
Cherner	Harris	Nettles	Williams
Collins (W)	Hill	Owens (W)	Wood
Cook (Jefferson)	Holman	Owens (W.E.)	Young
Crane	House	Pearson	

—67

And the bill:

H. 1004 (with substitute). To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid

to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama is hereby amended so that the said Section 1 shall read in its entirety as follows:

Section 1. In any case in which a municipality may hereafter issue any securities, including bonds, warrants, notes, and certificates of indebtedness, whether such securities are general obligations of the municipality or are payable solely from a special source, there may be pledged to the payment of the principal of and the interest on such securities all or any part of that portion of the proceeds from any license or privilege tax or excise tax levied by any act of the legislature which may be apportioned and paid to such municipality; provided, however, that such pledge may be made only for the benefit of securities issued for a purpose or purposes for which the tax proceeds so apportioned to any such municipality are permitted by any such act to be used. In any case in which a pledge is made under the provisions of this act, the securities for the benefit of which such pledge shall be made shall have preference over claims for salaries or other operating expenses or claims for any other purpose, and if more than one such pledge shall be made with respect to the same portion of any such tax proceeds so apportioned then such pledges shall take precedence in the order in which they are made; provided, that if in the proceedings authorizing any such securities and making any such pledge therefor, the municipality reserves the privilege of issuing additional securities secured on a parity of pledge with the securities authorized by the said proceedings, then such additional securities subsequently issued may be secured by such parity pledge in accordance with the provisions of the said proceedings in which the said privilege is reserved. Each pledge of the character authorized by this act that may have been heretofore made by any municipality for the benefit of any such securities heretofore issued by it is hereby ratified and confirmed.

Section 2. There is hereby ratified and confirmed each pledge heretofore made, for the benefit of any securities of any kind heretofore sold by any municipality, of any tax or portion thereof of the character referred to in Act No. 531 adopted at the 1953 Regular Session of the Legislature, as amended by this act; provided, that the provisions of this section shall not apply to any pledge which may have been held invalid by the Supreme Court of Alabama prior to the effective date of this act or the validity of which shall on the effective date of this act be questioned in any suit then pending in any court in this state.

Section 3. If any provision of this act shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision hereof that is not in and of itself invalid.

Section 4. This act shall become effective upon its passage by the Legislature and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Agee	Doss	Jones	Pennington
Bank	Downing	Kilgore	Pruitt
Bassett	Drake	Lemley	Robertson
Berryman (W)	Edington	Lybrand	Sessions
Blanton	Ellis	Lyons	Shumate
Bowers	Fine	Malone	Slate
Brannan	Gafford	Manley	Snell
Brassell	Gloor	Marr	Springer
Brown	Graham	Mathews	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McElhaney	Stubbs
Cherner	Hain	Meeks	Tuck
Collins (W)	Harper	Melton	Waggoner
Cook (Coffee)	Harris	Merrill	Weeks
Crane	Hill	Money	Williams
Crawford	Holman	Nettles	Young
Dill	House	Owens (W.E.)	

—71

And the bill, H. 1004, as thus amended:

To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Doss	Jones	Pennington
Agee	Downing	Kilgore	Pruitt
Bank	Drake	Lemley	Robertson
Bassett	Edington	Lybrand	Sessions
Berryman (W)	Ellis	Lyons	Shumate
Blanton	Fine	Malone	Slate
Bowers	Gafford	Manley	Snell
Brannan	Gloor	Marr	Springer
Brassell	Graham	Mathews	Steagall
Brown	Grainger	Mays	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Cherner	Hain	Meeks	Tuck
Collins (W)	Harper	Melton	Waggoner
Cook (Coffee)	Harris	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Holman	Nettles	Yielding
Crawford	House	Owens (W.E.)	Young
Dill			

—73

MOTION TO RECONSIDER H. 513

The motion of Mr. Wood (having voted with the prevailing side by which the bill, H. 513, was passed) to reconsider the bill, H. 513, was adopted.

Yeas 66; Nays 10.

Yeas:

Mr. Speaker	Downing	Manley	Pruitt
Agee	Drake	Marr	Robertson
Bank	Edington	Mathews	Shumate
Bassett	Fine	Mays	Snell
Berryman (W)	Gafford	McCorquodale	Springer
Brannan	Graham	McElhaney	Steagall
Brassell	Grainger	McLain	Stembridge
Brown	Grayson	Melton	Stubbs
Burgess	Harper	Merrill	Tuck
Burgreen	Harris	Money	Turnham
Cherner	House	Nettles	Waggoner
Collins (W)	Jones	Owens (W)	Weeks
Cook (Coffee)	Kilgore	Owens (W.E.)	Williams
Cook (Jefferson)	Lemley	Pearson	Wood
Crane	Lybrand	Pennington	Yeilding
Crawford	Lyons	Perloff	Young
Culver	Malone		

—66

Nays:

Messrs.:	Doss	Hill	Meeks
Bowers	Garrett	Holman	Slate
Dill	Hain	McDonald	

—10

And the bill:

H. 513 (with amendments). Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Was again taken up.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 92. Extending an invitation to Dr. Wernher Von Braun to address the Legislature in joint session on Tuesday, July 29, 1969.

Also:

H. J. R. 93. Congratulating Major General Charles W. Eifler, Commanding General of the Army Missile Command At Redstone Arsenal on his recent promotion, and inviting him to accompany Dr. Von Braun to the joint session on Tuesday, July 29, 1969.

McDOWELL LEE,
Secretary.

H. 513 RESUMED

Mr. McCorquodale offered the following amendment to the bill, H. 513, as amended:

Amend House Bill 513 by deleting sub-section (e) of Section 8 of said bill and adding in lieu thereof the following:

"(e) All members of the Legislative Council shall be members by reason of their office."

And the amendment was adopted.

Yeas 71; Nays 6.

Yeas:

Mr. Speaker	Drake	Malone	Robertson
Agee	Edington	Manley	Sessions
Bank	Ellis	Marr	Shumate
Bassett	Fine	Mathews	Smith
Berryman (W)	Gafford	Mays	Snell
Blanton	Garrett	McCorquodale	Springer
Brannan	Graham	McElhaney	Steagall
Brassell	Grainger	McLain	Stembridge
Burgess	Grayson	Melton	Stubbs
Burgreen	Harper	Merrill	Tuck
Cherner	Harris	Money	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	House	Owens (W)	Weeks
Cook (Jefferson)	Jones	Owens (W.E.)	Williams
Crane	Kilgore	Pearson	Wood
Crawford	Lemley	Pennington	Yeilding
Doss	Lybrand	Perloff	Young
Downing	Lyons	Pruitt	

—71

Nays:

Messrs.:	Bowers	Holman	Slate
Adwell	Hain	Meeks	

—6

Mr. Burgess moved that the bill, H. 513, be carried over to the twenty-sixth legislative day.

On motion of Mr. Smith, the motion of Mr. Burgess to carry over the bill was tabled.

Yeas 49; Nays 33.

Yeas:

Mr. Speaker	Ellis	Lybrand	Pennington
Agee	Fine	Mathews	Perloff
Bank	Garrett	Mays	Slate
Bassett	Gloor	McCorquodale	Smith
Brassell	Grainger	McDonald	Snell
Burgreen	Grayson	McElhaney	Springer
Cherner	Harris	McLain	Steagall
Cook (Coffee)	Hill	Meeks	Stembridge
Crawford	Holman	Merrill	Turnham
Culver	Jackson (T)	Nettles	Williams
Doss	Jones	Owens (W.E.)	Wood
Downing	Laxson	Pearson	Yeilding
Edington			

—49

Nays:

Messrs.:	Crane	Lemley	Sessions
Adwell	Dill	Lyons	Shumate
Berryman (W)	Dobbs	Manley	Stubbs
Bowers	Drake	Melton	Tuck
Brannan	Gafford	Money	Waggoner
Brown	Graham	Owens (W)	Watkins
Burgess	Hain	Pruitt	Weeks
Collins (W)	House	Robertson	Young
Cook (Jefferson)	Kilgore		

—33

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until two o'clock P. M., Tuesday, July 29, 1969, was lost.

Yeas 15; Nays 66.

Yeas:

Messrs.:	Dill	Kilgore	Shumate
Blanton	Drake	Malone	Tuck
Burgess	Graham	Melton	Watkins
Burgreen	Holman	Pruitt	Weeks

—15

Nays:

Mr. Speaker	Edington	Lybrand	Pennington
Adwell	Ellis	Lyons	Perloff
Agee	Fine	Marr	Robertson
Bank	Gafford	Mathews	Sessions
Bassett	Garrett	Mays	Slate
Berryman (W)	Gloor	McCorquodale	Snell
Bowers	Grainger	McDonald	Springer
Brannan	Grayson	McElhaneey	Steagall
Brassell	Hain	McLain	Stembridge
Cherner	Harper	Meeks	Stubbs
Collins (W)	Harris	Merrill	Turnham
Cook (Coffee)	Hill	Money	Waggoner
Cook (Jefferson)	House	Nettles	Williams
Crawford	Jackson (T)	Owens (W)	Wood
Dobbs	Jones	Owens (W.E.)	Yeilding
Doss	Laxson	Pearson	Young
Downing	Lemley		

—66

Mr. Nettles offered the following amendment to the bill, H. 513, as amended:

Amend Section 8 (c) of the Substitute to House Bill 513 by deleting Section 8 (c) in its entirety.

Also, amend Section 8 (d) of the Substitute to House Bill 513 by deleting Section 8 (d) in its entirety.

On motion of Mr. Smith, the amendment offered by Mr. Nettles to the bill, H. 513, was tabled.

Yeas 59; Nays 14.

Yeas:

Mr. Speaker	Bank	Blanton	Brassell
Adwell	Bassett	Bowers	Burgreen
Agee	Berryman (W)	Brannan	Cherner

Collins (W)	Hain	McCorquodale	Slate
Cook (Coffee)	Harper	McDonald	Smith
Crawford	Harris	McElhaney	Snell
Doss	Holman	McLain	Springer
Downing	House	Meeks	Steagall
Drake	Jones	Merrill	Stembridge
Edington	Laxson	Owens (W)	Stubbs
Ellis	Lybrand	Owens (W.E.)	Turnham
Fine	Manley	Pearson	Williams
Gafford	Marr	Perloff	Wood
Garrett	Mathews	Pruitt	Young
Grainger	Mays	Sessions	

—59

Nays:

Messrs.:	Dobbs	Lemley	Pennington
Burgess	Graham	Lyons	Robertson
Cook (Jefferson)	Grayson	Melton	Tuck
Dill	Hill	Nettles	

—14

Mr. Brown offered the following amendment to the bill, H. 513, as amended:

In Section 1, line 3, strike "twenty-one" members and insert in lieu thereof the "entire Legislature of Alabama."

On motion of Mr. Smith, the amendment offered by Mr. Brown to the bill, H. 513, was tabled.

Yeas 46; Nays 39.

Yeas:

Mr. Speaker	Edington	Mathews	Pearson
Agee	Ellis	Mays	Pennington
Bank	Fine	McCorquodale	Perloff
Bassett	Gafford	McDonald	Sessions
Bowers	Garrett	McElhaney	Slate
Brannan	Gloor	McLain	Smith
Cherner	Grainger	Meeks	Springer
Cook (Coffee)	Hain	Merrill	Steagall
Cook (Jefferson)	Harris	Nettles	Stembridge
Culver	Hill	Owens (W)	Turnham
Doss	Holman	Owens (W.E.)	Wood
Downing	Lybrand		

—46

Nays:

Messrs.:	Crawford	Kilgore	Robertson
Adwell	Dill	Laxson	Shumate
Berryman (W)	Dobbs	Lemley	Snell
Blanton	Drake	Lyons	Stubbs
Brassell	Graham	Malone	Tuck
Brown	Grayson	Manley	Watkins
Burgess	Harper	Marr	Weeks
Burgreen	House	Melton	Williams
Collins (W)	Jackson (T)	Money	Yeilding
Crane	Jones	Pruitt	Young

—39

And the bill, H. 513, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 17.

Yeas:

Mr. Speaker	Dobbs	Jones	Perloff
Adwell	Doss	Laxson	Robertson
Agee	Downing	Lybrand	Sessions
Bank	Drake	Malone	Slate
Bassett	Edington	Mathews	Smith
Berryman (W)	Ellis	Mays	Snell
Blanton	Fine	McCorquodale	Springer
Bowers	Garrett	McDonald	Steagall
Brannan	Gloor	McElhaney	Stembridge
Brassell	Graham	McLain	Tuck
Brown	Grainger	Meeks	Turnham
Burgreen	Hain	Merrill	Weeks
Cherner	Harper	Nettles	Williams
Cook (Coffee)	Harris	Owens (W.E.)	Wood
Cook (Jefferson)	Hill	Pearson	Yeilding
Crawford	Holman	Pennington	Young
Culver	Jackson (T)		

—66

Nays:

Messrs.:	Gafford	Lyons	Money
Burgess	Grayson	Manley	Pruitt
Collins (W)	House	Marr	Shumate
Crane	Kilgore	Melton	Stubbs
Dill	Lemley		

—17

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 53. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING That when the two Houses adjourn today they adjourn to meet again on Monday, July 28, 1969.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The motion of Mr. Merrill to suspend the rules and concur in and adopt the S. J. R. 53 set out in the above and foregoing Message from the Senate was lost.

Yeas 48; Nays 25.

Yeas:

Mr. Speaker	Dobbs	Lybrand	Sessions
Agee	Downing	Lyons	Smith
Bank	Drake	Manley	Snell
Bassett	Edington	Marr	Springer
Berryman (W)	Ellis	McCorquodale	Tuck
Blanton	Gafford	McElhaney	Turnham
Brannan	Graham	Melton	Watkins
Brassell	Grayson	Merrill	Weeks
Burgess	Harris	Nettles	Williams
Burgreen	Hill	Pearson	Wood
Cherner	Holman	Perloff	Yeilding
Collins (W)	Laxson	Pruitt	Young

—48

Nays:

Messrs.:	Grainger	Lemley	Pennington
Bowers	Hain	Malone	Robertson
Brown	Harper	Mays	Shumate
Cook (Jefferson)	House	McDonald	Slate
Crane	Jackson (T)	Meeks	Steagall
Fine	Jones	Owens (W)	Stubbs
Gloor	Kilgore		

—25

The S. J. R. 53 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Merrill that the House adjourn until two o'clock P. M., Monday, July 28, 1969, was lost.

Yeas 32; Nays 39.

Yeas:

Mr. Speaker	Gafford	Malone	Pruitt
Bank	Graham	Manley	Snell
Berryman (W)	Hain	Marr	Tuck
Blanton	Harper	Mathews	Watkins
Brassell	Harris	McElhaney	Weeks
Crane	Holman	Melton	Williams
Dill	Kilgore	Merrill	Wood
Downing	Lyons	Perloff	Yeilding

—32

Nays:

Messrs.:	Doss	Jones	Pennington
Agee	Drake	Laxson	Robertson
Bassett	Edington	Lemley	Sessions
Bowers	Ellis	Lybrand	Shumate
Brannan	Fine	Mays	Slate
Brown	Grainger	McDonald	Springer
Burgreen	Grayson	McLain	Steagall
Cherner	Hill	Meeks	Stubbs
Collins (W)	House	Owens (W)	Waggoner
Cook (Jefferson)	Jackson (T)	Pearson	Young

—39

And the bill:

H. 525. To prescribe a rule to apply in the circuit courts and courts of full like jurisdiction in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Was taken up.

Mr. Lyons offered the following amendment to the bill, H. 525:

In Section 1, second paragraph thereof, strike out the word, "five" in the phrase "within five days after receipt of notice of filing of same." and insert in lieu thereof the word: ten

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Perloff
Agee	Edington	Lybrand	Pruitt
Bank	Ellis	Lyons	Robertson
Bassett	Fine	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Graham	Mathews	Slate
Bowers	Grayson	Mays	Snell
Brassell	Hain	McDonald	Springer
Brown	Harris	McElhaney	Steagall
Burgreen	Hill	Meade	Stubbs
Cherner	Holman	Meeks	Waggoner
Collins (W)	House	Melton	Weeks
Cook (Jefferson)	Jackson (T)	Merrill	Williams
Dill	Jones	Money	Wood
Dobbs	Kilgore	Nettles	Yeilding
Downing	Laxson	Pennington	Young

—63

And the bill, H. 525, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 2.

Yeas:

Mr. Speaker	Drake	Lybrand	Perloff
Agee	Edington	Lyons	Pruitt
Bank	Ellis	Manley	Robertson
Bassett	Fine	Marr	Sessions
Berryman (W)	Graham	Mathews	Shumate
Blanton	Grayson	Mays	Slate
Bowers	Hain	McCorquodale	Snell
Brassell	Harper	McDonald	Springer
Brown	Harris	McElhaney	Steagall
Burgreen	Hill	Meeks	Stubbs
Cherner	Holman	Melton	Waggoner
Collins (W)	House	Merrill	Weeks
Cook (Jefferson)	Jones	Money	Williams
Dill	Kilgore	Nettles	Wood
Dobbs	Laxson	Pearson	Yeilding
Downing	Lemley	Pennington	Young

—64

Nays: Messrs. Gafford and Jackson (T).

—2

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

RANKIN FITE,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

And the bill:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Was read a third time at length and passed.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Ellis	Lyons	Pennington
Adwell	Fine	Malone	Perloff
Agee	Gloor	Manley	Pruitt
Bank	Graham	Marr	Robertson
Bassett	Grainger	Mathews	Sessions
Berryman (W)	Grayson	Mays	Shumate
Blanton	Hain	McCorquodale	Slate
Bowers	Harper	McDonald	Snell
Brassell	Harris	McElhaney	Steagall
Brown	Hill	McLain	Stubbs
Burgess	Holman	Meade	Tuck
Burgreen	House	Meeks	Turnham
Collins (W)	Jackson (T)	Melton	Waggoner
Cook (Jefferson)	Jones	Merrill	Weeks
Crane	Kilgore	Nettles	Williams
Dill	Laxson	Owens (W)	Wood
Dobbs	Lemley	Owens (W.E.)	Yeilding
Downing	Lybrand	Pearson	Young
Edington			—73

Nays: Messrs. Cherner, Gafford and Money.

—3

And the bill:

H. 301. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOB-TAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

Was taken up.

ADJOURNMENT

On motion of Mr. Young, the House adjourned until two o'clock P. M., Monday, July 28, 1969.

Yeas 39; Nays 38.

Yeas:

Mr. Speaker	Dobbs	Mathews	Smith
Agee	Drake	Mays	Steagall
Berryman (W)	Fine	Merrill	Tuck
Brannan	Gafford	Owens (W.E.)	Turnham
Brassell	Graham	Paulk	Watkins
Burgess	Hain	Pearson	Weeks
Burgreen	Harper	Perloff	Williams
Cherner	Holman	Pruitt	Yeilding
Crane	Malone	Shumate	Young
Dill	Marr	Slate	—39

Nays:

Messrs.:	Ellis	Lyons	Nettles
Adwell	Grainger	Manley	Owens (W)
Bank	Grayson	McCorquodale	Pennington
Bassett	House	McDonald	Robertson
Bowers	Jackson (T)	McElhaney	Sessions
Brown	Jones	McLain	Snell
Collins (W)	Kilgore	Meade	Springer
Cook (Jefferson)	Laxson	Meeks	Waggoner
Downing	Lemley	Melton	Wood
Edgington	Lybrand	Money	

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TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Friday, July 25, 1969

The House did not meet today.

TWENTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Monday, July 28, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Charles H. Dunahoo, Minister, Oak Park Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cook (Coffee)	Hain	Malone
Adwell	Cook (Jefferson)	Hardin	Manley
Agee	Crane	Harper	Marr
Bank	Crawford	Harris	Mathews
Bassett	Culver	Haygood	Mays
Beck	Dill	Headley	McCorquodale
Berryman (W)	Dobbs	Higginbotham	McDonald
Blanton	Doss	Hill	McElhaney
Bolton	Downing	Hobbie	McLain
Bowers	Drake	Holladay	Meade
Brannan	Edgington	Holman	Meeks
Brassell	Ellis	House	Melton
Brown	Fine	Jackson (F)	Merrill
Burgess	Foshee	Jackson (T)	Nettles
Burgreen	Gafford	Jones	Neville
Cameron	Garrett	Kilgore	Owen (Baldwin)
Cherner	Gloor	Laxson	Owens (W)
Collier	Graham	Lemley	Owens (W.E.)
Collins (C)	Grainger	Lybrand	Paulk
Collins (W)	Grayson	Lyons	Pearson

Pennington	Smith	Stubbs	Williams
Perloff	Snell	Tuck	Wood
Pruitt	Springer	Turnham	Wright
Robertson	Starnes	Waggoner	Yeilding
Sessions	Steagall	Watkins	Young
Shumate	Stembridge	Weeks	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-second legislative day was approved.

BILL ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 99. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-fourth Legislative Day, taking precedence over any other business in the House on this day:

Report of Standing Committees

Introduction of Bills

Uncontested Local Bills

HB 217, Page 96

HB 400, Page 91

HB 566, Page 71

HB 567, Page 71

SB 268, Page 97

HB 301, Page 2

HB 302, Page	10
HB 303, Page	10
HB 660, Page	103
HB 414, Page	42
HB 803, Page	80
SB 212, Page	104
HB 533, Page	60
HB 870, Page	73
HB 108, Page	1
HB 261, Page	26
HB 733, Page	80
HB 735, Page	60
HB 534, Page	25
HB 958, Page	104
HB 117, Page	34
HB 728, Page	63
HB 260, Page	39
HB 57, Page	4
HB 59, Page	4
HB 142, Page	13
HB 89, Page	12
HB 515, Page	53
HB 516, Page	53
HB 517, Page	81
HB 318, Page	86
HB 649, Page	94
HB 351, Page	48
HB 422, Page	35
HB 424, Page	36
HB 588, Page	27
HB 201, Page	26
HB 749, Page	62
HB 734, Page	60
HB 418, Page	43
HB 74, Page	2
HB 377, Page	63

HB 375, Page 13
HB 811, Page 65
HB 293, Page 11
HB 339, Page 11
SB 340, Page 98
HB 18, Page 4
HB 798, Page 88
HB 1041, Page 101
HB 8, Page 52
HB 194, Page 106
HB 478, Page 30
HB 490, Page 29
HB 492, Page 29
HB 493, Page 29
HB 369, Page 72
HB 334, Page 32
HB 336, Page 32
HB 841, Page 93
HB 842, Page 93

On motion of Mr. Merrill, H. R. 99 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 87. Praising the accomplishments of American technology, particularly those achieved at Marshall Space Flight Center in Huntsville in landing two men on the moon.

Also:

H. J. R. 96. Expressing gratitude and best wishes to Mrs. Sara F. Blackerby, soon to retire from the office of the Secretary of State.

Also:

H. J. R. 97. Designating the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall", and the new married student apartment building as "Tommye Stewart Rose Tower".

Also:

H. J. R. 98. Congratulating Clinton B. (Kiki) Smith on having been chosen as the presidential nominee of his party at Boys' Nation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 62. Extending sympathy to the family of Mrs. Douglas L. Folsom, State Superintendent of Education of the State of Arizona.

Also:

H. J. R. 63. Setting aside the week of May 24 through 30 of each year as National Memorial Week.

Also:

H. J. R. 66. Welcoming Dr. Charles David Hounshell and family to Alabama, and congratulating him on having been named President of Birmingham-Southern College.

Also:

H. J. R. 67. Endorsing the efforts of the Marine Corp Reserve Officers of Alabama to preserve the memory of General Holland M. Smith and the scholarship program he established at Auburn University and the University of Alabama.

Also:

H. J. R. 68. Mourning the death of Mr. John Noble Graham, father of Representative Bryce Graham.

Also:

H. J. R. 69. Extending sympathy to the family of Richard A. Curley of Talladega, Alabama.

Also:

H. J. R. 70. Commending Pat W. Mysinger of Northport, Alabama on his heroic rescue efforts while on duty with the Alabama National Guard.

Also:

H. J. R. 74. Congratulating the Geneva County High School Band under the leadership of Norman R. Dasinger for their outstanding performance in the New Orleans Mardi Gras parade.

Also:

H. J. R. 91. Mourning the death of Honorable Joe Alex Killian, former director of the International Trade Center of the Port of Mobile.

Also:

H. J. R. 95. Mourning the death of Honorable Robert R. Chesnutt of the Auburn Extension Service.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Also:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Also:

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Also:

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Also:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

Also:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Also:

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Also:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Also:

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Also:

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

Also:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

Also:

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Also:

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Also:

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Also:

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Also:

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Also:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Also:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Also:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Also:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

Also:

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue or other like governing body of Washington County by the county at large.

Also:

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Also:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Also:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Also:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clark County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Also:

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Also:

H. 908. Relating to Cleburne County; authorizing appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Also:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Also:

H. 821. To authorize any city of this State having a population of 300,000 or more inhabitants, according to the last or any subsequent Federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Also:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars (\$3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 84. Relative to certain legislative employees coming under the Employees' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1105 (with amendment). To amend Act No. 15, Third Special Session, Acts of Alabama, 1965, to provide that the Director of the Department of Archives and History shall be the executive director and archivist of the Alabama Academy of Honor created by said act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1107. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

H. 1172. To amend further Section 1 of Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this state as to doing business herein shall be deemed to have appointed the secretary of state, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served," so as to provide further for the service of process upon non-residents doing business in this state.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 899 (with amendment). To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 487. To provide for the payment of an examination fee by every applicant for a driver license, to fix the amount of such fee and to provide for depositing of funds received therefrom, and to provide for a bond for certain highway patrolmen.

H. 486. To levy an additional fee upon applicants for driver license after such applicant's former license or privilege has been revoked.

H. 485. To provide that unlicensed resident drivers to be subject to the same pains and penalties as licensed resident drivers convicted of certain traffic offenses.

H. 483. To repeal Section 5(4) of Title 36, Code of Alabama (1940) as amended, which requires endorsement of speeding convictions on driver licenses.

H. 481. To repeal Section 67 (1) of Title 36 of the Code of Alabama, 1940, as amended, which extends the period of validity of drivers' license for veterans of World War II.

H. 479. To provide for the issuing of tags for motor vehicles owned by the State of Alabama, and operated by merit system employees of the state whose classification is that of a peace officer, and to restrict the use of such tags to state peace officers regularly engaged in investigative endeavors and to provide a penalty for fraudulent use.

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1132 (with amendment). To amend Code of Alabama 1940, Title 29, Section 12, which relates to advertising of alcoholic beverages.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 446. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

H. 1042. To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

H. 1043. To amend further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation."

H. 1044. To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1045 (with amendment). Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1046. Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

H. 1052. To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

H. 1053. Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

H. 1054. To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

H. 1101. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor.

H. 1102. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

H. 1103. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide an allowance for the employment of additional clerical assistance by the tax collectors and tax assessors of such counties; to repeal conflicting laws.

H. 1104. Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

H. 1116. Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Franklin County.

H. 1117. To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers,

duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

H. 1128. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws.

H. 1129. To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

H. 1130. Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county.

H. 1131. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1159 (with amendment). Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1160. To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Alabama.

H. 1161. To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond."

H. 1162. Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

H. 1163. Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

H. 1164. To fix the compensation and allowance of election officers in Pickens County.

H. 1165. To provide for the compensation of the deputy sheriffs of Pickens County.

H. 1166. To provide for compensation of jurors in Pickens County.

H. 1167. To regulate the compensation of jurors in counties having populations of not less than 20,100 nor more than 21,850.

H. 1168. To regulate the compensation of jurors in counties having populations of not less than 14,500 nor more than 14,900.

H. 1179. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

H. 1180. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent federal decennial census.

H. 1182. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

H. 1187. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1147. To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

H. 1148. To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

H. 1149. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

H. 1150. To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1151 (with amendment). To allow subsequent jury service in the Twenty-Third Judicial Circuit of Alabama.

H. 1152 (with amendment). Separation of jury by consent in the Twenty-Third Judicial Circuit of Alabama.

H. 1153 (with amendment). To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

H. 1154 (with amendment). To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

H. 1155 (with amendment). To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act No. 289, S. 299, 1953 Acts 354).

H. 1156 (with amendment). To amend further the act approved July 7, 1965 providing for the creation of a county license department in counties having a population of not less than 115,000 nor more than 165,000 according to the 1960 or subsequent federal decennial census, electing to come under the provisions of said Act (Act 103, S. 222, Regular Session, 1965) by providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and place on the Calendar, to-wit:

H. 1158. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000 according to the last federal decennial census.

H. 1169. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 948 (with substitute) (with amendment). Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Owens (W) (with notice and proof):

H. 1190. To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Local Legislation No. 1.

Notice and Proof H. 1190:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. At the first special constitutional amendment election held in Bibb County after the adjournment of this session of the legislature, there shall be submitted to the qualified voters of Bibb County, at a referendum election held for the purpose, the question of whether the county superintendent of education shall continue to be elected by vote of the people or shall be appointed by the county board of education as provided in the general law. The court of county commissioners, board of revenue, or other like county governing body shall call the election and provide for holding the same. The question to be submitted shall be stated on the ballots used at the election substantially as follows: "Do you favor continued election of the county superintendent of education by the voters of Bibb County?"

Section 2. The referendum election provided for in Section 1 shall be called, held and conducted as nearly as may be in the manner prescribed in Article 4 of Chapter 10, Title 52, Code 1940 providing for elections on levying county school taxes, but no petition of electors or request of the county board of education shall be required to initiate the proceedings. When the results of the election have been canvassed, the probate judge of the county shall certify the same to the secretary of state.

Section 3. If a majority of those voting at said referendum vote for the continued election of the county superintendent of education, then the remainder of this act shall have no force or effect. The office of county superintendent of education shall not be affected by this act; and the county superintendent of education shall continue to be elected in the manner prescribed by law and such office shall continue to be governed in all matters by the laws applicable thereto when this act becomes law.

Section 4. If a majority of those voting at said referendum vote against continued election of the county superintendent of education, then after the expiration of the term of office of the incumbent superintendent his successors shall be appointed by the county board of education as prescribed by Code of Alabama 1940, Title 32, Section 102, and thereafter the county superintendent of education of Bibb County appointed by the county board of education shall be the chief executive officer of the County school system and shall be charged with the same duties and shall exercise the same powers and authority as are now or as may hereafter be prescribed by the general laws of this State for county superintendents of education. His compensation shall be fixed by the county board of education and he shall be paid at the time and in the manner prescribed by the general law for paying county superintendents of education. The county board of education shall determine the amount of office help necessary for the county superintendent of education, and the board shall fix the compensation and the time and manner of paying such office help. The county superintendent of education shall have authority to select such office help as may be provided by the county board of education. The expenses of the county superintendent of education shall be furnished by the county board of education as provided in the general law and allowances for his office may be made by the county board of education as provided in the general law.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. Act No. 99, H. 235 of the Extra Session of 1933 (local Acts 1933, Extra Session 1933, p. 31) and all acts amendatory thereof are hereby repealed. Any and all other laws or parts parts of laws in conflict herewith are also repealed.

Section 7. Sections 1 and 2 of this act shall become effective immediately upon the passage and approval of this act by the Governor, or its otherwise becoming law. If a majority of the qualified electors voting in such referendum vote "yes" in answer to the question submitted, then Section 3 of this act shall become effective on the date on which the result of such referendum is proclaimed; and the remainder of the act shall thereupon have no further force or effect. If a majority of the qualified electors voting in such referendum vote "no", then Section 3 of this act shall have no force or effect and the remainder of the act shall become effective on the date on which the result of the election is proclaimed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W) (with notice and proof):

H. 1191. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

Local Legislation No. 1.

Notice and Proof H. 1191:

LEGAL NOTICE

(NOTE—This bill is to correct typographical error made in the original bill that was passed in 1967. This is not a new tax.)

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2 and 3 of Act No. 17, H. 21, Regular Session 1957, an act levying sales and use taxes in Bibb County, Alabama (Acts 1957, v. 1, p. 43), as amended, are amended further so as to read as follows:

"Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Bibb County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm or corporation (including The Board of Trustees of the University of Alabama, The Alabama Polytechnic Institute, and all other institutions of higher learning in the State, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of any such institution) engaged or continuing, within Bibb County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in the business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business;

"(b) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Bibb County, an amount equal to one per cent (1%) of the gross receipts of any such business;

"(c) Upon every person, firm or corporation engaged or continuing within Bibb County in the business of selling at retail machines used in the mining, quarrying, compounding, processing and manufacturing

of tangible personal property, and the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily used in the operation thereof, an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of such machines, parts, attachments and replacements; and

"(d) Upon every person, firm, or corporation engaged or continuing, within Bibb County, in the business of selling at retail any automotive vehicles or truck trailer and semi-trailer, an amount equal to one-half of one per cent ($\frac{1}{2}$ of 1%) of the gross proceeds of the sale of said automotive vehicles, or truck trailer and semi-trailer; provided, that where any used automotive vehicle, used truck trailer, or used semi-trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax herein levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

"provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the State Sales Tax statutes from computation of the amount of the State Sales Tax.

"Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personalty. An excise is hereby imposed on

"(a) The storage, use or other consumption in Bibb County of tangible personal property purchased at retail, on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Bibb County or in this State, except as provided in subsections (b) and (c) of this section;

"(b) The storage, use or other consumption in Bibb County of any machine used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such machine, parts, attachments, or replacements; and

"(c) The storage, use or other consumption in Bibb County of any automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of January, 1968, for storage, use or other consumption in Bibb County, at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such automotive vehicle, truck trailer, or semi-trailer; provided that where any used automotive vehicle or used truck trailer or used semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

"provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are presently exempted under the State Use Tax statutes from the State Use Tax. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Bibb

County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Bibb County shall be sufficient to relieve the purchaser from further liability for a tax such receipt may refer."

Section 2. This Act shall become effective the first day of the first month beginning after this Act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W):

H. 1192. To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Local Legislation No. 1.

By Mr. Owens (W):

H. 1193. Proposing an amendment to the Constitution of Alabama relative to Bibb County, authorizing the legislature to fix, regulate, and alter the costs, charges of courts, fees, commissions, allowances, or compensation to be charged or received by the sheriff of Bibb County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Owens (W) (with notice and proof):

H. 1194. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailors, and to provide for the payment of expenses.

Local Legislation No. 1.

Notice and Proof H. 1194:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailors, and to provide for the payment of expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Bibb County shall be compensated on a salary basis. His salary shall be fixed by the court of county commissioners, board of revenue or other like governing body at an amount not less than \$8,000.00 nor more than \$12,000.00 per annum to be paid in equal monthly installments from the general funds of the county.

Section 2. The fees, commissions, percentages and allowances provided sheriffs under the general law shall be collected by the sheriff of Bibb County and be by him paid into the general fund of Bibb County.

Section 3. The sheriff of Bibb County shall with the approval of the county governing body, appoint a chief deputy whose salary shall be fixed by the governing body at not less than \$425.00 nor more than \$600.00 per month.

Section 4. The sheriff shall, with the approval of the county governing body appoint two deputies whose salary shall be fixed by the governing body at not less than \$350.00 nor more than \$500.00 per month each.

Section 5. The sheriff shall, with the approval of the county governing body appoint a secretary whose salary shall be fixed by the governing body at not less than \$150.00 nor more than \$300.00 per month.

Section 6. The sheriff shall, with the approval of the county governing body, appoint two jailers, whose salary shall be fixed by the governing body at not less than \$150.00 nor more than \$400.00 each per month.

Section 7. The county governing body shall provide the sheriff with two automobiles of his choice for the official use of the sheriff and his deputies and shall pay the purchase price and the cost of operation and maintenance of such automobiles out of the general funds of the county.

Section 8. The county governing body shall pay, from the general funds of the county, all costs necessary to the purchase and maintenance of all equipment required by the sheriff for law enforcement purposes, and shall pay all expenses incurred by the sheriff and his deputies in the performance of their duties.

Section 9. The county governing body shall maintain the county jail, under the supervision of the sheriff, and shall receive all fees, commissions, percentages and allowances payable for providing lock-up and detention facilities for municipalities or state or federal agencies.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. The operation of this Act is conditional upon the approval of a constitutional amendment authorizing the legislature to enact laws regulating, fixing or altering the fees and compensation of the sheriff of Bibb County. If such constitutional amendment is approved by the qualified electors of the State of Alabama who vote thereon at the election when the proposed constitutional amendment is submitted, this Act shall take effect on the first of the month next following the date of the election.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W) (with notice and proof):

H. 1195. Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

Local Legislation No. 1.

Notice and Proof H. 1195:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Bibb County, each member of the board of registrars shall receive \$10 per day to be paid by the state, and \$5 per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W) (with notice and proof):

H. 1196. To amend Act No. 258, H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

Local Legislation No. 1.

Notice and Proof H. 1196:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 258 H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 258, H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County, is amended to read as follows:

"Section 1. Each member of the jury commission shall be paid the sum of fifteen dollars per day for the time actually engaged in the discharge of his duties as a member, to be paid out of the county treasury upon the warrant drawn by the probate judge of the county. Such warrants shall be issued by the probate judge upon evidence satisfactory to him that such service has been rendered; but the compensation of no member of the commission shall exceed for any one year of his term three hundred dollars."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W) (with notice and proof):

H. 1197. Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

Local Legislation No. 1.

Notice and proof H. 1197:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education of Bibb County shall each be entitled to expenses in the amount of \$7.50 per month. Such allowance shall be in addition to all other allowances provided by law and shall be payable from the public school funds of the county at the end of each month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W) (with notice and proof):

H. 1198. Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

Local Legislation No. 1.

Notice and Proof H. 1198:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The county superintendent of education of Bibb County shall receive an annual expense allowance to be fixed by the county board of education, which allowance shall not exceed \$3,000 per annum. It shall be paid in equal monthly installments out of the public school

funds of the county. Such expense allowance shall be in lieu of any other allowance heretofore provided the county superintendent of education for expenses. The county board of education shall fix the amount of the allowance authorized in this Act by resolution duly entered upon the minutes of the board.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 24, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Owens (W):

H. 1199. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Ways and Means.

By Mr. Pearson (with notice and proof):

H. 1200. Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts, 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees, so as to provide further for the disposition and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 1200:

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees, so as to provide further for the disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section . Section 1 of Act No. 61, H. 2, of the Special Session 1967 (Acts 1967, p. 96) is hereby amended to read as follows:

"Section 1. In Autauga County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff and deposited in any bank located in Autauga County into a fund known and designated as the sheriff's fund. Such fund shall be drawn upon by the sheriff and used exclusively for purposes of law enforcement and in the discharge of the sheriff's office as he sees fit. The sheriff shall, however, report monthly to the county governing body on the state of such fund. Such report shall be filed on or before the tenth day of each month; and shall show the amount of money on deposit in such fund on the first day of the preceding month, the total collections from the issuance of pistol permits during the preceding month and shall contain an itemized account of the expenditures made from such fund during such month, along with a notation of the purpose for which such expenditures were made. Any fees for pistol permits theretofore collected and deposited in the special fund in the county treasury designated sheriff's fund, shall immediately after this Act becomes law, be transferred to the sheriff's fund established in a bank in Autauga County as hereinabove provided."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

NORMAN E. RIDENHOUR,
Publisher.

Sworn to and subscribed before me this 23rd day of July, 1969.

My Commission Expires Dec.-9-70.
LINDA H. BREEDLOVE,
Notary Public.

By Mr. Pearson (with notice and proof):

H. 1201. Relating to Autauga County; regulating further the compensation of the jury commission and the clerk thereof.

Local Legislation No. 1.

Notice and Proof H. 1201:

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County: regulating further the compensation of the jury commission and the clerk thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Autauga County each member of the jury commission shall be paid a sum to be fixed by the county governing body at not more than twenty dollars per diem for the time actually engaged in the discharge of his duties as such member; but the combined compensation of all members shall not exceed \$720 in any year, except as hereinafter provided. Whenever due to unusual circumstances the jury commission is required to perform some special service or their usual services require time in excess of the normal or usual time devoted to such duties, the county governing body may, in its discretion, authorize the payment of additional compensation or an expense allowance for such additional services; but the total amount so paid to all members combined shall not exceed \$300.

Section 2. The jury commission of Autauga County may employ a clerk. The compensation of such clerk for the performance of his duties shall be a salary of fifty dollars per month. Such clerk's compensation shall be paid out of the county treasury upon the order of the president of the jury commission.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

NORMAN E. RIDENHOUR,
Publisher.

Sworn to and subscribed before me this 23rd day of July, 1969.

LINDA H. BREEDLOVE,
Notary Public.

My Commission Expires Dec.-9-70.

By Mr. Snell:

H. 1202. To propose an Amendment to the Constitution of Alabama relating to Chambers County, so as to provide further for the use of the proceeds of the special property tax authorized to be levied pursuant to Amendment No. 72 for hospital and public health purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Meade and Beck:

H. 1203. To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Local Legislation No. 1.

By Messrs. Berryman (W) and Graham:

H. 1204. Relating to counties having populations of not less than 46,500 nor more than 48,000 to provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

Local Legislation No. 1.

By Messrs. Berryman (W) and Graham:

H. 1205. To provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

Judiciary.

By Mr. Melton:

H. 1206. To except bonds issued by a municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Melton and Garrett (with notice and proof):

H. 1207. Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

Local Legislation No. 1.

Notice and Proof H. 1207:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education of Conecuh County shall receive an expense allowance of \$75.00 per month, in lieu of all compensation heretofore paid to said members. Said expense allowance shall be the entire compensation received by any member of the board of education for his services, and shall be paid out of public education funds of the county.

Section 2. All laws or parts of laws which conflict with this act are repealed. Act No. 379, S. 579, Regular Session 1949 (Acts 1949, p. 556) is hereby expressly repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 24, 1969.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Mr. Drake (with notice and proof):

H. 1208. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1208:

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Hanceville, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the cor-

porate limits of the Town of Hanceville, Alabama, and in addition thereto the following described territory, to wit:

Tract I. A parcel of land located in the East Half of Section 19, Township 11 South, Range 2 West described as follows: Beginning at the SE Corner of said Section 19, thence West along the section line for a distance of 1470 feet to a point; thence north and parallel with east section line for a distance of 3960 feet more or less to a point on the present corporate line and being the south forty line of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19; thence easterly along present corporate line to the east section line; thence south along section line and present corporate line to the point of beginning, 120 acres more or less, and located in Cullman County, Alabama.

Tract II. A parcel of land located in the North Half of Section 21, Township 11 South, Range 2 West, the South Half of Section 16, and the East Half of Section 20, described as follows: Beginning at a point where the Center Hill Road intersects the present Town Corporate limits and said point being 1929.2 feet south and west 680.9 feet of the NE Corner of said Section 21; thence northeasterly along center of Center Hill Road to a point on the East Section Line of said Section 16, and being North 653.3 feet of the SE Corner of said section 16; thence continuing north along section line for a distance of 766.7 feet to a point in the center of Alabama Highway No. 91; for a distance of 6905 feet to a point on the present Corporate Limits in the center of Moulton Road, said point being South 2596.3 feet and West 5620 feet West of the NE Corner of said Section 21; thence easterly along the present Corporate Limits to the point of beginning, the above described containing 203 acres, more or less, in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 7, May 14, May 21, and May 28 all in the year 1969.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 22, 1969.

SUE EVANS,
Notary Public.

My Commission Expires May 21, 1972.

By Mr. Blanton:

H. 1209. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of

driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Hain and Blanton:

H. 1210. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Blanton:

H. 1211. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in Actions and suits of a civil nature, whether cognizable at law or in equity.

Judiciary.

By Mr. Collier (with notice and proof):

H. 1212. To amend Section 2 of Act No. 47, H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

Local Legislation No. 1.

Notice and Proof H. 1212:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 47 H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the meahod of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 47, H. 100, Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," is amended to read as follows:

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County, shall provide compensation for clerks, assistants and secretaries for the offices enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall be allowed three full time clerks, the sheriff shall be allowed a jailer and the same number of deputies and other assistants as are now provided by law who shall receive the compensation and allowances as may be prescribed by law, the clerk of the circuit court shall not be allowed more than three full time clerks, the tax assessor shall be allowed two full time clerks, the tax collector shall not be allowed more than one full time clerk, and the register of the circuit court shall not be allowed any full time clerks. Each officer shall appoint his own deputies, clerks, secretaries and assistants, and shall fix their compensation subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk whose compensation shall be fixed by the county governing body."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26 all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me 8th day of July, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Mays (with notice and proof):

H. 1213. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Local Legislation No. 1.

Notice and Proof H. 1213:

LEGAL NOTICE

Notice is hereby given that a local bill reading substantially as follows will be introduced for passage by the Legislature of Alabama:

AN ACT

To Alter And Rearrange The Boundary Lines Of The City Of Brewton, Alabama So As To Include Within The Corporate Limits Of Said City All Territory Now Within Such Corporate Limits And Also Certain Other Territory In Escambia County, Alabama Contiguous To Said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Brewton, Escambia County, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory described as follows:

The North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$), and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Sixteen (16), Township Two (2) North of Range Ten (10) East.

The Southeast Quarter ($SE\frac{1}{4}$) of Section Nine (9), Township Two (2) North of Range Ten (10) East.

All of the North Half ($N\frac{1}{2}$) of Section Nine (9), Township Two (2) North of Range Ten (10) East that lies East and South of the Old Castleberry Road.

All of the South Half of the South Half ($S\frac{1}{2}$ of $S\frac{1}{2}$) of Section Four (4), Township Two (2) North of Range Ten (10) East that lies South and East of the Old Castleberry Road.

All of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of Section Four (4), Township Two (2) North of Range Ten (10) East that lies North and East of the Old Castleberry Road.

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Fifteen (15) Township Two (2), Range Ten (10).

The North Half of Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) of Section Four (4), Township Two (2) North of Range Ten (10) East.

The South Half of Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) and the Southwest Quarter of Northeast Quarter ($SW\frac{1}{2}$ of $NE\frac{1}{4}$); all in Section Four (4), Township Two (2) North of Range Ten (10) East.

Section 2. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

TOM GARDNER.

Sworn to and subscribed before me July 28, 1969.

ALICE SUMMERVILLE,
Notary Public.

By Mays (with notice and proof):

H. 1214. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Local Legislation No. 1.

Notice and Proof H. 1214:

STATE OF ALABAMA

COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Escambia County shall be authorized to employ not more than eight deputies, including jailers and clerks. The salaries of said deputies to be paid out of the general fund of the county and to be within the limits set out below.

Section 2. The chief deputy shall be entitled to a salary of not less than \$550.00 per month and not more than \$600.00 per month.

Section 3. The second deputy shall be entitled to a salary of not less than \$525.00 per month and not more than \$575.00 per month.

Section 4. The sheriff of said county shall be authorized to employ three deputies to be assigned to such municipalities outside of the corporate limits of the county seat as shall be designated by the sheriff. The deputies so employed by the sheriff pursuant to this section shall be entitled to a salary of not less than \$460.00 per month and not more than \$510 per month.

Section 5. The two deputies acting as jailers shall be entitled to a salary of not less than \$400.00 per month and not more than \$450.00 per month.

Section 6. The deputy acting as clerk shall be entitled to a salary of not less than \$350.00 per month and not more than \$400.00 per month.

Section 7. The salaries provided for in this act shall be in lieu of any and all compensation now provided by law for sheriff's deputies in Escambia County.

Section 8. The salary actually to be paid to each deputy, within the limits provided by this act, shall be determined by the Board of County Commissioners or other governing body of said County.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

TOM GARDNER.

Sworn to and subscribed before me July 28, 1969.

ALICE SUMMERVILLE,
Notary Public.

By Mr. Mays (with notice and proof):

H. 1215. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Local Legislation No. 1.

Notice and Proof H. 1215:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H 1240 regular session 1965.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 411, H. 742, Regular Session 1963 (Acts, 1963, p. 912) is amended to read as follows:

"Section 2. A chairman of the Board shall be elected by the qualified electors of the county at the general election of state and county officers in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The chairman must possess the same qualifications for office as the general law prescribes for probate judges. He shall be entitled to an annual salary of Six Thousand Six Hundred dollars (\$6,600.00) pay-

able from the county treasury in equal monthly installments, which shall be his entire compensation for performance of the duties of his office and all ex officio duties imposed by law. In addition, he shall be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of Two Thousand Four Hundred Dollars (\$2,400.00) per annum, which shall be payable from the county treasury in equal monthly installments.

Section 2. Section 4 of said Act is amended to read as follows:

"Section 4. The associate members of the Board shall each receive an annual salary of Five Thousand Four Hundred (\$5,400.00) Dollars. The salaries of the associate members of the Board shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, and shall be their entire compensation for the services required of them by this Act. In addition to his salary, each member of the Board shall also be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of One Thousand Eight Hundred Dollars (\$1,800.00) per annum which shall be payable from the county treasury in equal monthly installments."

Section 3. The last sentence in Section 6 of said Act is amended to read as follows:

"Section 6 The Board may appoint one (1) Chief Clerk with a salary to be fixed by the Board, which salary shall be paid by the County, and may also appoint such clerical assistants as may be necessary."

Section 4. Act 724 H. 1240, Regular Session 1965 is repealed in its entirety.

Section 5. This Act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

TOM GARDNER,

Sworn to and subscribed before me July 28, 1969.

ALICE SUMMERVILLE,
Notary Public.

By Mr. Mays:

H. 1216. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Local Legislation No. 1.

By Mr. Mays:

H. 1217. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Local Legislation No. 1.

By Mr. Cherner:

H. 1218. To permit the conversion of shares of a corporation which is merging or consolidating into cash, shares or securities of any other corporation and to amend Section 67 (c) of Act No. 414, S. 261, Regular Session, 1959 (Acts 1959, p. 1087), the Act known as the Alabama Business Corporation Act, approved November 13, 1959, to so provide.

State Administration.

By Messrs. Meeks, Holman, Waggoner, Adwell, Ellis, Gafford, Dobbs, Pruitt, Weeks, Bowers, Cook (Jefferson), Dill, Crane, Yeilding and House:

H. 1219. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to examinations for establishing employment registers under the state merit system, so as to provide for a five point preference for persons permanently disabled in the performance of their duties as an employee under such state merit system.

Judiciary.

By Messrs. Haygood, Malone, Brown, Bank, Lemley, Shumate, Robertson, Adwell, Hobbie, Culver, Weeks, Downing, Burgess, Cook (Coffee), House, Meade, Owens (W.E.), Ellis, Smith, Dobbs, Wright, Hill, Williams and Doss:

H. 1220. Defining, regulating, and providing for the licensening of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Labor and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Business and Labor.

By Mr. Owens (W):

H. 1221. Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Local Legislation No. 1.

By Messrs. Jones, Malone, Grainger, McLain, Perloff, McElhaney, Laxson, Pennington, McCorquodale and Meade:

H. 1222. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

State Administration.

By Messrs. Manley and Pruitt:

H. 1223. Proposing an amendment to the Constitution of Alabama relating to Marengo County, and ordering an election thereon.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite (with notice and proof):

H. 1224. To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

Local Legislation No. 1.

Notice and Proof H. 1224:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Board of Revenue is hereby authorized, empowered, and directed to appropriate the sum of \$546.25 for the relief of Ray Irvin to compensate him for damages sustained by him in defending a suit against him as a result of a collision which occurred on or about May 17, 1965, while carrying out his duties as the driver of a gravel truck owned by Marion County Board of Revenue, which accident occurred on the Happy Hollow Church Road in Marion County, under such circumstances that said county is morally and justly obligated to pay damages, but the said Ray Irvin has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

W. D. SMITH, JR.

Sworn to and subscribed before me July 24, 1969.

MILDRED GREGG,
Notary Public,
State of Alabama at Large.

By Mr. Fite (with notice and proof):

H. 1225. To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

Local Legislation No. 1.

Notice and Proof H. 1225:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Board of Revenue is hereby authorized, empowered, and directed to appropriate the sum of \$134.10 for the relief of B. N. Wade to compensate him for personal property damage sustained in an accident involving a truck owned by Marion County, which said accident occurred on or about October 23, 1968, in the Town of Hamilton, Alabama, under such circumstances that said county is morally and justly obligated to pay damages, but the said B. N. Wade has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

W. D. SMITH, JR.

Sworn to and subscribed before me July 24, 1969.

MILDRED GREGG,
Notary Public,
State of Alabama at Large.

By Mr. Fite (with notice and proof):

H. 1226. To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

Local Legislation No. 1.

Notice and Proof H. 1226:

STATE OF ALABAMA

COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Board of Revenue is hereby authorized, empowered, and directed to appropriate the sum of \$433.94 for the relief of Theron Holliman to compensate him for property damage sustained in an accident involving a street sweeper owned by Marion County, which said accident occurred on or about September 10, 1968, in the City of Winfield, Alabama, under such circumstances that said county is morally and justly obligated to pay damages, but the said Theron Holliman has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

W. D. SMITH, JR.

Sworn to and subscribed before me July 24, 1969.

MILDRED GREGG,
Notary Public,
State of Alabama at Large.

By Mr. Grayson:

H. 1227. To amend Section 9, Act No. 3, Regular Session, 1967, so as to permit other State Officials than the State Treasurer to withdraw funds for deposit by enlarging the number of state officials empowered to withdraw state funds for deposit under provisions of said Act.

Ways and Means.

By Mr. Garrett:

H. 1228. Relating to motor vehicles; to authorize, provide for, and require registration and certification of titles to and ownership of and security interests in motor vehicles, providing for administration and enforcement of the act by the Director and Department of Public Safety, and providing for the collection of fees and the imposition of penalties.

Judiciary.

By Messrs. Pruitt and Sessions:

H. 1229. To raise revenue and to that end to amend further Section 819 of Title 51 of the Code of Alabama of 1940, as heretofore last amended by an Act of the Special Session of the Legislature of Alabama of 1969 and approved by the Governor the 14th day of May, 1969.

Insurance.

By Messrs. Lybrand, Merrill and Burgess (with notice and proof):

H. 1230. To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Local Legislation No. 1.

Notice and Proof H. 1230:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts 1939, p. 252), which creates and establishes the County Commission of Calhoun County, is hereby amended to read as follows:

"Section 3. For the purpose of this act said county of Calhoun is hereby divided into two districts, numbered one, to be known as the Northern District of Calhoun County, and numbered two, to be known as the Southern District of Calhoun County. District Number One shall embrace the following precincts of Calhoun County as now constituted viz: 1, 2, 6, 7, 8, 9, 10, 11, 14, 16, 18, 19, 22 and 24. District Number Two shall embrace the following precincts of said County as now constituted, viz: 3, 4, 5, 12, 13, 15, 17, 20, 21 and 23."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me July 28, 1969.

LOLA J. BRIGHT,
Notary Public.

By Mr. Cook (Coffee) (with notice and proof):

H. 1231. Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

Local Legislation No. 1.

Notice and Proof H. 1231:

STATE OF ALABAMA COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Members of Coffee County shall be entitled to be reimbursed for the actual amount of any reasonable expenses incurred

when traveling in privately owned motor vehicles outside the county in furtherance of county business.

Section 2. Members of such governing body are hereby authorized to use county-owned vehicles when traveling within or outside the county in furtherance of county business. They shall be reimbursed for all reasonable and necessary expenses when using such vehicles.

Section 3. The expenses of travel provided for in this Act shall be in lieu of any other expense allowance heretofore authorized by law and shall be paid from any funds in the county treasury not otherwise appropriated, in such manner as the board may direct.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. This Act is retroactive to October 1, 1968.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ferrin Cox, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Elba Clipper, a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-26-69, 7-3-69, 7-10-69, and 7-17-69, all in the year 1969.

FERRIN COX.

Sworn to and subscribed before me July 24th, 1969.

NADINE H. FULLER,
Notary Public.

By Mr. Dobbs:

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide a clerk hire allowance for the judge of probate in such counties.

Local Legislation No. 1.

By Messrs. Beck, Meade, Crawford and Stembridge:

H. 1233. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

Ways and Means.

By Messrs. Beck, Meade, Stembridge and Crawford:

H. 1234. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

Agriculture.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gafford, Yeilding, Bowers, Dill, Sessions, Ellis, Gloor, Jackson (T), Watkins, Weeks, Kilgore, Holman, Waggoner, Meeks, Cook (Jefferson), Adwell and House:

H. 1235. To validate moral obligations, not exceeding one hundred and sixty dollars (\$160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Transportation.

By Messrs. Pennington, Jones, Grainger, Laxson, McLain, Lemley, Malone, Wright, Starnes, Melton, Harris, Owen (Baldwin), Mays, Brannan, Foshee, Headley, Springer, Owens (W), Turnham, Harper, Gloor, Ellis, Weeks, Shumate, Dobbs and Yeilding:

H. 1236. To provide for the control of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdiction, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State, and make appropriations, and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Health.

By Messrs. Starnes, Bolton, Melton and Blanton:

H. 1237. To amend Sections 1 and 5 of Act No. 21, H. 28, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

Judiciary.

S. 615 RE-REFERRED

At the request of Mr. Downing, the bill, S. 615, was re-referred from the Standing Committee on Local Legislation No. 1 to the Standing Committee on Local Legislation No. 3.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jackson (T):

H. J. R. 100. WHEREAS Hudson Powell Lipscomb Jr. of Bessemer, Alabama, one of the state's outstanding members of the legal profession, is celebrating his fiftieth year in the practice of law, and

WHEREAS Colonel Lipscomb, born in Lipscomb, Alabama on March 29, 1892, has served his country ably in two world wars, and contributed greatly to the betterment of his community and to the growth and development of the profession of Law, and

WHEREAS Colonel Lipscomb has for many years been considered by his colleagues as one of the most brilliant practitioners in the state and has initiated and trained his two sons, Powell and Albert to follow in their father's able footsteps, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Colonel Lipscomb on the observance of his fiftieth year in the profession to which he has nobly and steadfastly devoted his life, and extend to him our heartfelt wish that he continue in the practice of law for many years to come.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Colonel H. P. Lipscomb.

On motion of Mr. Jackson (T), the rules were suspended and H. J. R. 100 was adopted.

Also:

By Messrs. Cameron, Harris, Springer, Hobbie and McElhaney:

H. J. R. 101. WHEREAS Marion Rushton, one of Alabama's most respected and beloved citizens departed this life on May 9, 1969; and

WHEREAS Colonel Rushton was the senior member of the distinguished law firm of Rushton, Stakely, Johnston and Garrett, of Montgomery, and was one of the most brilliant and effective attorneys to ever practice at the bar of this state; and

WHEREAS Colonel Rushton served his country devotedly during two world wars, receiving citations for his service as administrative officer to the Undersecretary of War, and for having organized a judicial review board for desertion cases in World War II; and

WHEREAS Colonel Rushton served for many years as National Democratic Committeeman, resigning in 1948, on a matter of principle, which was highly in character for a man of unquestioned integrity and of devoted loyalty to the interests of the people of his state and nation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply mourns the death of Marion Rushton and expresses its sympathy to the family of one of the finest citizens this state has yet produced.

On motion of Mr. Cameron, the rules were suspended and H. J. R. 101 was adopted.

Also:

By Messrs. Cameron, Harris, Springer, Hobbie and McElhaney:

H. J. R. 102. WHEREAS Floyd Hamilton Mooneyham, much respected as an attorney and as a civic and religious leader, passed away on May 2, 1969; and

WHEREAS Floyd H. Mooneyham served in the Alabama State Senate from 1935 to 1939, representing Montgomery County; and

WHEREAS Floyd H. Mooneyham had served as a member of the Board of Directors of the Salvation Army Childrens Home, was a former State President of Alabama Exchange Clubs, a Past Potentate of the Alcazar Temple of the Shrine; and

WHEREAS Floyd H. Mooneyham for many years was a dedicated Layman of the Methodist Church, serving at the time of his death as Chairman of the Board of Trustees and a member of the Board of Stewards of the First Methodist Church of Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Floyd H. Mooneyham and extend our deepest sympathy to his widow and to the other members of his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mrs. Floyd H. Mooneyham.

On motion of Mr. Cameron, the rules were suspended and H. J. R. 102 was adopted.

BILLS ON THIRD READINGS

And the bill:

H. 827. To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dill	Hill	Paulk
Agee	Dobbs	Holman	Pearson
Bank	Doss	Jackson (F)	Perloff
Bassett	Downing	Jackson (T)	Robertson
Beck	Drake	Jones	Sessions
Berryman (W)	Edington	Lemley	Snell
Blanton	Fine	Lybrand	Starnes
Bolton	Foshee	Lyons	Steagall
Brown	Gafford	Malone	Stembridge
Cameron	Garrett	Marr	Stubbs
Cherner	Graham	McDonald	Tuck
Collier	Grainger	McLain	Turnham
Collins (C)	Grayson	Meeks	Weeks
Collins (W)	Hain	Melton	Williams
Cook (Coffee)	Harper	Merrill	Wood
Crane	Haygood	Nettles	Wright
Crawford	Headley	Owen (Baldwin)	Yeilding
Culver	Higginbotham	Owens (W.E.)	Young

—72

And the bill:

H. 736. To amend Act No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, in relation to the qualifications of the Judge of the court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Owen (Baldwin)
Agee	Dobbs	House	Owens (W)
Bank	Downing	Jackson (F)	Paulk
Bassett	Drake	Jackson (T)	Perloff
Beck	Edington	Jones	Robertson
Berryman (W)	Foshee	Kilgore	Snell
Brannan	Gafford	Lybrand	Starnes
Brassell	Garrett	Lyons	Steagall
Brown	Gloor	Manley	Stembridge
Burgess	Graham	Marr	Stubbs
Cameron	Grainger	Mays	Tuck
Cherner	Grayson	McDonald	Waggoner
Collier	Hain	McLain	Weeks
Collins (C)	Harper	Meade	Williams
Collins (W)	Harris	Meeks	Wood
Cook (Coffee)	Haygood	Melton	Wright
Crane	Headley	Merrill	Yeilding
Crawford	Higginbotham	Nettles	Young
Culver			

—73

And the bill:

H. 879. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Owen (Baldwin)
Agee	Doss	Holman	Owens (W)
Bank	Downing	House	Owens (W.E.)
Bassett	Drake	Jackson (F)	Paulk
Beck	Edington	Jackson (T)	Pearson
Berryman (W)	Fine	Jones	Perloff
Blanton	Foshee	Kilgore	Robertson
Brannan	Gafford	Lyons	Snell
Brassell	Garrett	Malone	Starnes
Brown	Gloor	Manley	Steagall
Cameron	Graham	Marr	Stembridge
Cherner	Grainger	Mays	Stubbs
Collier	Grayson	McElhanev	Tuck
Collins (C)	Hain	McLain	Waggoner
Collins (W)	Harper	Meade	Weeks
Cook (Coffee)	Harris	Meeks	Williams
Crane	Haygood	Melton	Wright
Crawford	Headley	Merrill	Yeilding
Culver	Higginbotham	Nettles	Young
Dill	Hill		

—78

And the bill:

H. 923 (with amendment). Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office;

making further provisions respecting the number and employment of deputies and assistants for such officer; providing for their compensation; and repealing conflicting laws.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In subsection (a) of Section 1 strike out the words and figures,

"one chief deputy and not less than five nor more than thirteen deputies in addition to the chief deputy."

and insert in lieu thereof the following:

one chief deputy, and not less than eight nor more than thirteen deputies in addition to the chief deputy, the exact number of such deputies to be determined by the county governing body.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Owen (Baldwin)
Agee	Dobbs	Holman	Owens (W)
Bank	Downing	House	Owens (W.E.)
Bassett	Drake	Jackson (F)	Pearson
Beck	Edington	Jackson (T)	Perloff
Berryman (W)	Fine	Jones	Robertson
Blanton	Foshee	Kilgore	Sessions
Bolton	Gafford	Lybrand	Snell
Brannan	Garrett	Lyons	Starnes
Brassell	Gloor	Malone	Steagall
Brown	Graham	Manley	Stembridge
Burgess	Grainger	Marr	Stubbs
Cameron	Grayson	Mays	Tuck
Cherner	Hain	McElhaney	Turnham
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Haygood	Meeks	Williams
Cook (Coffee)	Headley	Melton	Wright
Crawford	Higginbotham	Merrill	Yeilding
Culver	Hill	Nettles	Young

—80

And the bill, H. 923, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bowers	Collins (C)	Downing
Agee	Brannan	Collins (W)	Drake
Bank	Brassell	Cook (Coffee)	Edington
Bassett	Brown	Crane	Fine
Beck	Burgess	Crawford	Foshee
Berryman (W)	Cameron	Culver	Garrett
Blanton	Cherner	Dill	Gloor
Bolton	Collier	Dobbs	Graham

Grainger	Jackson (T)	Meeks	Snell
Grayson	Jones	Melton	Starnes
Hain	Kilgore	Merrill	Steagall
Harper	Lybrand	Nettles	Stembridge
Harris	Lyons	Owen (Baldwin)	Stubbs
Haygood	Malone	Owens (W)	Tuck
Headley	Manley	Owens (W.E.)	Turnham
Higginbotham	Marr	Paulk	Waggoner
Hill	Mathews	Pearson	Weeks
Hobbie	Mays	Perloff	Williams
Holman	McElhaney	Robertson	Yeilding
House	Meade	Sessions	Young
Jackson (F)			

—81

And the bill:

H. 924. To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Nettles
Agee	Doss	House	Owen (Baldwin)
Bank	Downing	Jackson (F)	Owens (W)
Bassett	Drake	Jackson (T)	Owens (W.E.)
Beck	Edgington	Jones	Paulk
Berryman (W)	Fine	Kilgore	Pearson
Blanton	Foshee	Lemley	Perloff
Bolton	Gafford	Lybrand	Robertson
Bowers	Garrett	Lyons	Snell
Brannan	Gloor	Malone	Springer
Brassell	Graham	Manley	Starnes
Brown	Grainger	Marr	Steagall
Burgess	Grayson	Mays	Stembridge
Cameron	Hain	McCorquodale	Stubbs
Cherner	Harper	McDonald	Turnham
Collier	Harris	McElhaney	Waggoner
Collins (C)	Haygood	McLain	Weeks
Collins (W)	Headley	Meade	Williams
Cook (Coffee)	Higginbotham	Meeks	Wright
Crawford	Hill	Melton	Yeilding
Culver	Hobbie	Merrill	Young
Dill			

—85

And the bill:

H. 925. To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court cost for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	House	Owen (Baldwin)
Agee	Dill	Jackson (F)	Owens (W)
Bank	Dobbs	Jackson (T)	Owens (W.E.)
Bassett	Downing	Jones	Paulk
Beck	Drake	Kilgore	Pearson
Berryman (W)	Edington	Lemley	Perloff
Blanton	Fine	Lybrand	Robertson
Bolton	Foshee	Lyons	Sessions
Bowers	Gafford	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cameron	Harper	McDonald	Stubbs
Cherner	Harris	McElhaney	Turnham
Collier	Haygood	McLain	Waggoner
Collins (C)	Headley	Meade	Weeks
Collins (W)	Higginbotham	Meeks	Williams
Cook (Coffee)	Hill	Melton	Wright
Cook (Jefferson)	Hobbie	Merrill	Yeilding
Crawford	Holman	Nettles	Young

—84

And the bill:

H. 926. Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Merrill
Agee	Dobbs	Holman	Nettles
Bank	Doss	House	Owen (Baldwin)
Bassett	Downing	Jackson (F)	Owens (W)
Beck	Drake	Jackson (T)	Paulk
Berryman (W)	Edington	Jones	Pearson
Blanton	Fine	Kilgore	Perloff
Bolton	Foshee	Lemley	Robertson
Brannan	Gafford	Lybrand	Snell
Brassell	Garrett	Lyons	Starnes
Brown	Gloor	Malone	Steagall
Burgess	Graham	Manley	Stembridge
Cameron	Grainger	Marr	Stubbs
Cherner	Grayson	Mays	Turnham
Collier	Hain	McCorquodale	Waggoner
Collins (C)	Harper	McDonald	Weeks
Collins (W)	Harris	McElhaney	Williams
Cook (Coffee)	Haygood	McLain	Wright
Cook (Jefferson)	Headley	Meade	Yeilding
Crawford	Higginbotham	Meeks	Young
Culver	Hill	Melton	

—83

And the bill:

H. 928 (with amendment). To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing

for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Delete the period at the end of the bill and insert in lieu thereof and as a part of Section 3, the following:

, and shall expire upon the expiration of the term of the incumbent judge of probate.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owen (Baldwin)
Agee	Doss	House	Owens (W)
Bank	Downing	Jackson (F)	Owens (W.E.)
Bassett	Drake	Jackson (T)	Paulk
Beck	Edington	Jones	Pearson
Blanton	Fine	Kilgore	Perloff
Bolton	Foshee	Lemley	Robertson
Bowers	Gafford	Lybrand	Sessions
Brannan	Garrett	Lyons	Starnes
Brassell	Gloor	Malone	Steagall
Brown	Graham	Marr	Stembridge
Burgess	Grainger	Mays	Stubbs
Cameron	Grayson	McCorquodale	Tuck
Cherner	Hain	McElhaney	Turnham
Collier	Harper	McLain	Waggoner
Collins (W)	Harris	Meade	Weeks
Cook (Coffee)	Headley	Meeks	Williams
Cook (Jefferson)	Higginbotham	Melton	Wright
Crawford	Hill	Merrill	Yeilding
Culver	Hobbie	Nettles	Young
Dill			

—81

And the bill, H. 928, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cherner	Edington	Headley
Agee	Collier	Fine	Higginbotham
Bank	Collins (C)	Foshee	Hill
Bassett	Collins (W)	Gafford	Hobbie
Beck	Cook (Coffee)	Garrett	Holman
Blanton	Cook (Jefferson)	Gloor	House
Bolton	Crawford	Graham	Jackson (F)
Bowers	Culver	Grainger	Jackson (T)
Brannan	Dill	Grayson	Jones
Brassell	Dobbs	Hain	Kilgore
Brown	Doss	Harper	Lemley
Burgess	Downing	Harris	Lybrand
Cameron	Drake	Haygood	Lyons

Malone	Meeks	Perloff	Tuck
Manley	Melton	Robertson	Turnham
Marr	Merrill	Sessions	Waggoner
Mays	Nettles	Snell	Weeks
McCorquodale	Owen (Baldwin)	Springer	Williams
McDonald	Owens (W)	Starnes	Wright
McElhaney	Owens (W.E.)	Steagall	Yeilding
McLain	Paulk	Stembridge	Young
Meade	Pearson	Stubbs	

—87

And the bill:

H. 932. To amend Section 4 of Act No. 30, S. 5, Regular Session 1963 (Acts 1963, p. 404), an act to establish the County Court of Marshall County, so as to increase the salary of the judge of said court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Jones	Paulk
Bank	Drake	Kilgore	Pearson
Bassett	Edington	Lemley	Perloff
Beck	Fine	Lyons	Pruitt
Blanton	Foshee	Malone	Robertson
Bolton	Gafford	Manley	Sessions
Bowers	Garrett	Marr	Snell
Brannan	Gloor	Mathews	Springer
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McDonald	Stembridge
Cameron	Hain	McElhaney	Stubbs
Collier	Harper	McLain	Tuck
Collins (C)	Harris	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crawford	Hobbie	Nettles	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young
Dobbs	Jackson (F)		

—86

And the bill:

H. 949. Relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Collins (C)
Agee	Blanton	Brown	Collins (W)
Bank	Bolton	Burgess	Cook (Coffee)
Bassett	Bowers	Cherner	Cook (Jefferson)
Beck	Brannan	Collier	Crawford

Culver	Headley	Mays	Sessions
Dill	Higginbotham	McCorquodale	Shumate
Dobbs	Hill	McDonald	Snell
Downing	Hobbie	McElhaney	Springer
Drake	Holman	McLain	Starnes
Edington	House	Meade	Steagall
Fine	Jackson (F)	Melton	Stembridge
Foshee	Jackson (T)	Merrill	Stubbs
Gafford	Jones	Nettles	Tuck
Garrett	Kilgore	Owen (Baldwin)	Turnham
Gloor	Lemley	Owens (W)	Waggoner
Graham	Lybrand	Owens (W.E.)	Weeks
Grainger	Lyons	Paulk	Williams
Grayson	Malone	Pearson	Wright
Hain	Manley	Perloff	Yeilding
Harper	Marr	Pruitt	Young
Haygood	Mathews	Robertson	

—87

And the bill:

H. 972. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Jones	Pearson
Bassett	Edington	Kilgore	Perloff
Beck	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cameron	Harper	McDonald	Stubbs
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	McLain	Turnham
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hill	Melton	Williams
Cook (Jefferson)	Hobbie	Merrill	Wright
Crawford	Holman	Nettles	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill			

—89

And the bill:

H. 973. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones	Pearson
Agee	Dobbs	Kilgore	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Drake	Lybrand	Robertson
Beck	Edington	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Smith
Bolton	Garrett	Marr	Snell
Bowers	Gloor	Mathews	Springer
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Brown	Hain	McDonald	Stembridge
Burgess	Harper	McElhaney	Stubbs
Cameron	Haygood	McLain	Tuck
Cherner	Headley	Meade	Turnham
Collier	Higginbotham	Meeks	Waggoner
Collins (C)	Hill	Melton	Weeks
Collins (W)	Hobbie	Merrill	Williams
Cook (Coffee)	Holman	Owen (Baldwin)	Wright
Cook (Jefferson)	House	Owens (W)	Yeilding
Crawford	Jackson (F)	Owens (W.E.)	Young
Culver	Jackson (T)	Paulk	

—87

And the bill:

H. 1018. Relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Culver	Higginbotham	McElhaney
Agee	Dill	Hill	McLain
Bank	Dobbs	Hobbie	Meade
Bassett	Downing	Holman	Meeks
Beck	Drake	House	Melton
Berryman (W)	Edington	Jackson (F)	Merrill
Blanton	Fine	Jackson (T)	Nettles
Bowers	Foshee	Jones	Owen (Baldwin)
Brannan	Gafford	Kilgore	Owens (W)
Brassell	Garrett	Lemley	Owens (W.E.)
Brown	Gloor	Lybrand	Paulk
Burgess	Graham	Lyons	Pearson
Cameron	Grainger	Malone	Perloff
Cherner	Grayson	Manley	Pruitt
Collier	Hain	Marr	Robertson
Collins (C)	Harper	Mathews	Sessions
Collins (W)	Harris	Mays	Shumate
Cook (Coffee)	Haygood	McCorquodale	Smith
Crawford	Headley	McDonald	Snell

Springer	Stubbs	Weeks	Wright
Starnes	Tuck	Williams	Yeilding
Steagall	Turnham	Wood	Young
Stembridge	Waggoner		

—90

And the bill:

H. 1021. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Agee	Edington	Kilgore	Perloff
Bank	Fine	Lemley	Pruitt
Bassett	Foshee	Lybrand	Robertson
Beck	Gafford	Lyons	Sessions
Berryman (W)	Garrett	Manley	Shumate
Blanton	Gloor	Marr	Smith
Bowers	Graham	Mathews	Snell
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McDonald	Steagall
Burgess	Harper	McElhanev	Stembridge
Cameron	Harris	McLain	Stubbs
Cherner	Headley	Meade	Tuck
Collier	Higginbotham	Meeks	Turnham
Collins (C)	Hill	Melton	Waggoner
Collins (W)	Hobbie	Merrill	Weeks
Cook (Coffee)	Holman	Nettles	Williams
Crawford	House	Owens (W)	Wood
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Downing			

—85

And the bill:

H. 1022. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cherner	Crawford
Agee	Brannan	Collier	Culver
Bank	Brassell	Collins (C)	Dill
Bassett	Brown	Collins (W)	Dobbs
Beck	Burgess	Cook (Coffee)	Downing
Blanton	Cameron	Cook (Jefferson)	Drake

Edington	Hobbie	McDonald	Shumate
Fine	Holman	McElhaney	Smith
Foshee	House	Meade	Snell
Gafford	Jackson (F)	Meeks	Springer
Garrett	Jackson (T)	Melton	Starnes
Gloor	Jones	Merrill	Steagall
Graham	Kilgore	Nettles	Stembridge
Grainger	Lemley	Owen (Baldwin)	Stubbs
Grayson	Lybrand	Owens (W)	Turnham
Hain	Lyons	Owens (W.E.)	Waggoner
Harper	Malone	Pearson	Weeks
Harris	Manley	Perloff	Williams
Haygood	Marr	Pruitt	Wood
Headley	Mathews	Robertson	Yeilding
Higginbotham	Mays	Sessions	Young
Hill	McCorquodale		

—86

And the bill:

H. 1033. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Agee	Edington	Jones	Perloff
Bank	Ellis	Kilgore	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Shumate
Bolton	Garrett	Malone	Smith
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cherner	Harper	McDonald	Stubbs
Collier	Harris	McElhaney	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Jefferson)	Higginbotham	Melton	Weeks
Crawford	Hill	Merrill	Williams
Culver	Hobbie	Nettles	Wood
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing	Jackson (F)	Owens (W.E.)	

—87

And the bill:

H. 1065. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bank	Ellis	Kilgore	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Shumate
Bolton	Garrett	Malone	Smith
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cameron	Harper	McDonald	Stubbs
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crawford	Hobbie	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill	House	Owens (W.E.)	Young
Dobbs	Jackson (F)		

—86

And the bill:

H. 1073. To amend Section 3 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq) which fixes, levies, and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Was taken up.

Mr. Cook (Jefferson) offered the following amendment to the bill, H. 1073:

Amend Section 1 of House Bill 1073 by adding at the end of Section 1 of said House Bill 1073 the following words and letters:

“(f) This Act shall not be construed to apply to beer, lager beer, ale, porter, near beer, or similar fermented malt liquor stored by a wholesale dealer for the purpose of resale or reshipment outside a county subject to the provisions of this act, which such beer, lager beer, ale, porter, near beer or similar fermented malt liquor is actually so resold and re-shipped, and the local governing body of the location to which such malt liquor is reshipped imposes and collects a tax on such malt liquor which is equal to or in excess of the tax imposed by this Act.”

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Collins (W)
Agee	Blanton	Burgess	Cook (Coffee)
Bank	Bolton	Cherner	Cook (Jefferson)
Bassett	Bowers	Collier	Crane
Beck	Brannan	Collins (C)	Crawford

Culver	Haygood	Mathews	Robertson
Dill	Headley	Mays	Sessions
Dobbs	Higginbotham	McCorquodale	Shumate
Downing	Hill	McDonald	Snell
Drake	Hobbie	McElhaney	Springer
Edington	Holman	Meade	Starnes
Ellis	House	Meeks	Steagall
Fine	Jackson (F)	Melton	Stembridge
Foshee	Jackson (T)	Merrill	Stubbs
Gafford	Jones	Nettles	Tuck
Gloor	Kilgore	Owen (Baldwin)	Turnham
Graham	Lemley	Owens (W)	Weeks
Grainger	Lybrand	Owens (W.E.)	Williams
Grayson	Lyons	Paulk	Wood
Hain	Malone	Pearson	Wright
Harper	Manley	Perloff	Yeilding
Harris	Marr	Pruitt	Young

—88

And the bill, H. 1073, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk
Agee	Drake	Jackson (T)	Pearson
Bassett	Edington	Jones	Perloff
Beck	Ellis	Kilgore	Pruitt
Berryman (W)	Fine	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Bolton	Gafford	Lyons	Shumate
Bowers	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Cameron	Hain	McCorquodale	Stubbs
Cherner	Harper	McDonald	Tuck
Collier	Harris	McElhaney	Turnham
Collins (C)	Haygood	Meade	Waggoner
Collins (W)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Melton	Williams
Crane	Hill	Merrill	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Owen (Baldwin)	Yeilding
Dill	Holman	Owens (W)	Young
Dobbs	House	Owens (W.E.)	

—91

And the bill:

H. 1085. To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Agee	Drake	Jackson (F)	Paulk
Bank	Edington	Jackson (T)	Pearson
Bassett	Ellis	Jones	Perloff
Beck	Fine	Kilgore	Pruitt
Berryman (W)	Foshee	Lemley	Robertson
Blanton	Gafford	Lybrand	Sessions
Bolton	Garrett	Lyons	Snell
Bowers	Gloor	Malone	Springer
Brannan	Graham	Manley	Starnes
Brassell	Grainger	Marr	Steagall
Brown	Grayson	Mathews	Stembridge
Burgess	Hain	Mays	Stubbs
Cameron	Harper	McCorquodale	Tuck
Cherner	Harris	McDonald	Turnham
Collier	Haygood	McElhaney	Waggoner
Collins (C)	Headley	Meade	Weeks
Collins (W)	Higginbotham	Meeks	Williams
Cook (Coffee)	Hill	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crawford	Holladay	Nettles	Yeilding
Culver	Holman	Owen (Baldwin)	Young
Dill			

—89

And the bill:

H. 1090. Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court in Equity, and for payment of such clerk's salary by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Perloff
Bassett	Edington	Kilgore	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Garrett	Malone	Snell
Bowers	Gloor	Manley	Springer
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mathews	Steagall
Brown	Grayson	Mays	Stembridge
Burgess	Hain	McCorquodale	Stubbs
Cameron	Harper	McDonald	Tuck
Cherner	Harris	McElhaney	Turnham
Collier	Haygood	Meade	Waggoner
Collins (C)	Higginbotham	Meeks	Weeks
Collins (W)	Hill	Melton	Williams
Cook (Coffee)	Hobbie	Merrill	Wood
Cook (Jefferson)	Holladay	Nettles	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	House	Owens (W)	Young
Dill			

—89

And the bill:

H. 1091. Relating to counties having populations of 10,800 or less, according to the last or any subsequent federal decennial census; to fix the compensation of the county solicitor in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Perloff
Agee	Drake	Jones	Pruitt
Bank	Edington	Kilgore	Robertson
Bassett	Ellis	Lemley	Sessions
Beck	Fine	Lybrand	Shumate
Berryman (W)	Foshee	Lyons	Smith
Blanton	Gafford	Malone	Snell
Bolton	Garrett	Manley	Springer
Bowers	Gloor	Marr	Starnes
Brannan	Graham	Mathews	Steagall
Brassell	Grainger	Mays	Stembridge
Brown	Grayson	McCorquodale	Stubbs
Burgess	Hain	McDonald	Tuck
Cameron	Harper	McElhaney	Turnham
Cherner	Harris	Meade	Waggoner
Collier	Haygood	Meeks	Weeks
Collins (C)	Headley	Melton	Williams
Collins (W)	Higginbotham	Merrill	Wood
Cook (Coffee)	Hill	Nettles	Wright
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Yeilding
Crawford	Holladay	Owens (W)	Young
Culver	Holman	Paulk	
Dill	House	Pearson	
Dobbs	Jackson (F)	Pennington	

—93

And the bill:

H. 1094. Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cameron	Cook (Jefferson)
Agee	Bowers	Cherner	Crawford
Bank	Brannan	Collier	Culver
Bassett	Brassell	Collins (C)	Dill
Beck	Brown	Collins (W)	Doss
Berryman (W)	Burgess	Cook (Coffee)	Downing

Drake	Hill	McDonald	Snell
Edington	Hobbie	McElhaney	Springer
Ellis	Holman	Meade	Starnes
Fine	House	Meeks	Steagall
Foshee	Jackson (F)	Merrill	Stembridge
Garrett	Jackson (T)	Nettles	Stubbs
Gloor	Jones	Owen (Baldwin)	Tuck
Graham	Kilgore	Owens (W)	Turnham
Grainger	Lemley	Paulk	Waggoner
Grayson	Lybrand	Pearson	Weeks
Hain	Lyons	Perloff	Williams
Harper	Malone	Pruitt	Wood
Harris	Manley	Robertson	Wright
Haygood	Marr	Sessions	Yeilding
Headley	Mays	Shumate	Young
Higginbotham	McCorquodale		

—86

And the bill:

H. 1095. Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Perloff
Bassett	Edington	Kilgore	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Garrett	Malone	Snell
Bowers	Gloor	Manley	Springer
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mathews	Steagall
Brown	Grayson	Mays	Stembridge
Collier	Hain	McCorquodale	Stubbs
Collins (C)	Harper	McDonald	Tuck
Collins (W)	Harris	McElhaney	Turnham
Cook (Coffee)	Haygood	Meade	Weeks
Cook (Jefferson)	Higginbotham	Meeks	Williams
Crawford	Hill	Merrill	Wood
Culver	Hobbie	Nettles	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young

—84

And the bill:

H. 1098. To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bank	Edington	Kilgore	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Lybrand	Robertson
Berryman (W)	Gafford	Lyons	Shumate
Blanton	Garrett	Malone	Snell
Bolton	Graham	Manley	Springer
Brannan	Grainger	Marr	Starnes
Brassell	Grayson	Mathews	Steagall
Brown	Hain	Mays	Stembridge
Cameron	Harper	McCorquodale	Stubbs
Collier	Harris	McDonald	Tuck
Collins (C)	Haygood	McElhaney	Turnham
Collins (W)	Higginbotham	Meade	Waggoner
Cook (Coffee)	Hill	Meeks	Weeks
Cook (Jefferson)	Hobbie	Merrill	Williams
Crawford	Holman	Nettles	Wood
Culver	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Owens (W)	Young

—80

And the bill:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Cameron	Hain	McCorquodale	Stembridge
Cherner	Harper	McDonald	Stubbs
Collier	Harris	McElhaney	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crawford	Hobbie	Nettles	Wood
Culver	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Owens (W)	Young
Doss			

—85

And the bill:

H. 1074. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Agee	Edington	Jones	Perloff
Bank	Ellis	Kilgore	Robertson
Bassett	Fine	Laxson	Sessions
Beck	Foshee	Lemley	Shumate
Berryman (W)	Gafford	Lybrand	Snell
Blanton	Garrett	Lyons	Springer
Bowers	Gloor	Malone	Starnes
Brannan	Graham	Manley	Steagall
Brassell	Grainger	Marr	Stembridge
Brown	Grayson	Mays	Stubbs
Cameron	Hain	McCorquodale	Tuck
Cherner	Harper	McDonald	Turnham
Collier	Harris	Meade	Watkins
Collins (C)	Haygood	Meeks	Weeks
Collins (W)	Headley	Melton	Williams
Cook (Coffee)	Higginbotham	Merrill	Wood
Crawford	Hill	Nettles	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing	Jackson (F)	Paulk	

—83

And the bill:

H. 1075. To amend further Section 18 of Title 19, of the Code of Alabama of 1940, as heretofore amended by an Act entitled "An Act to amend Section 18 of Title 19 of the Code of Alabama of 1940," Act No. 758, Regular Session of the Legislature of Alabama 1953, (Acts of 1953, Vol. 2, Pages 1020 and 1021), so as to provide for the exemption of cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, from posting bond for right of entry in condemnation appeals from probate court to circuit court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk
Agee	Drake	Jackson (T)	Pearson
Bank	Edington	Jones	Perloff
Bassett	Ellis	Kilgore	Robertson
Beck	Fine	Laxson	Sessions
Berryman (W)	Foshee	Lemley	Shumate
Blanton	Gafford	Lybrand	Snell
Bolton	Garrett	Lyons	Springer
Bowers	Gloor	Malone	Starnes
Brannan	Graham	Manley	Steagall
Brassell	Grainger	Marr	Stembridge
Cameron	Grayson	Mathews	Stubbs
Cherner	Hain	Mays	Tuck
Collier	Harper	McCorquodale	Turnham
Collins (C)	Harris	McDonald	Waggoner
Collins (W)	Haygood	Meade	Watkins
Cook (Coffee)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Melton	Williams
Crawford	Hobbie	Merrill	Wood
Culver	Holladay	Nettles	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Doss			

—89

And the bill:

H. 1076. Relating to Jefferson County; providing for the disposal by the county purchasing agent or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Paulk
Agee	Edington	Jones	Pearson
Bank	Ellis	Kilgore	Perloff
Bassett	Fine	Laxson	Pruitt
Berryman (W)	Foshee	Lemley	Robertson
Blanton	Gafford	Lybrand	Sessions
Bowers	Gloor	Lyons	Shumate
Brannan	Graham	Malone	Snell
Brassell	Grainger	Manley	Springer
Brown	Grayson	Marr	Starnes
Cherner	Hain	Mathews	Steagall
Collier	Harper	Mays	Stembridge
Collins (C)	Harris	McCorquodale	Stubbs
Collins (W)	Haygood	McDonald	Tuck
Cook (Coffee)	Headley	Meade	Turnham
Cook (Jefferson)	Higginbotham	Meeks	Waggoner
Crawford	Hobbie	Melton	Weeks
Culver	Holladay	Merrill	Williams
Dill	Holman	Nettles	Wright
Dobbs	House	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Owens (W)	Young
Downing			

—85

And the bill:

H. 1077. To further amend Section 9 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Paulk
Agee	Downing	House	Pearson
Bank	Drake	Jackson (F)	Perloff
Bassett	Edington	Jackson (T)	Pruitt
Beck	Ellis	Jones	Robertson
Berryman (W)	Fine	Kilgore	Sessions
Blanton	Foshee	Laxson	Shumate
Bowers	Gafford	Lemley	Snell
Brannan	Garrett	Lybrand	Springer
Brassell	Gloor	Malone	Starnes
Brown	Graham	Manley	Steagall
Cameron	Grainger	Marr	Stembridge
Cherner	Grayson	Mathews	Stubbs
Collier	Hain	Mays	Tuck
Collins (C)	Harper	McCorquodale	Turnham
Collins (W)	Harris	Meade	Waggoner
Cook (Coffee)	Haygood	Meeks	Weeks
Cook (Jefferson)	Headley	Melton	Williams
Crawford	Higginbotham	Merrill	Wright
Culver	Hill	Nettles	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs	Holladay	Owens (W)	

—87

And the bill:

H. 1078. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, in which said city there shall have been or hereafter shall be created a public building corporation as provided for in Act Number 493, 1955 Acts of Alabama, as now or hereafter amended, to lease or convey to such public building corporation any property which shall have been acquired by such public building corporation as a result of any "Project" after the bonds have been paid in full, notwithstanding Section 21 of said Act Number 493, as same may have been or may hereafter be amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk
Agee	Drake	Jackson (T)	Pearson
Bank	Edington	Jones	Perloff
Bassett	Ellis	Kilgore	Robertson
Beck	Fine	Laxson	Sessions
Berryman (W)	Foshee	Lemley	Shumate
Blanton	Gafford	Lybrand	Snell
Bowers	Garrett	Lyons	Springer
Brannan	Graham	Malone	Starnes
Brassell	Grainger	Marr	Steagall
Brown	Grayson	Mathews	Stembridge
Cameron	Hain	Mays	Stubbs
Cherner	Harper	McCorquodale	Tuck
Collier	Harris	McDonald	Turnham
Collins (C)	Haygood	Meade	Waggoner
Collins (W)	Headley	Meeks	Weeks
Cook (Coffee)	Higginbotham	Melton	Williams
Crawford	Hobbie	Merrill	Wright
Culver	Holladay	Nettles	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	House	Owens (W)	

—83

And the bill:

H. 1079. To further amend Section 23 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 (Ala. Acts, 1951, p. 1579 et seq.), which created for each city having a population of two hundred and fifty thousand (250,000) or more, according to the last or any succeeding federal census, a pension and relief or retirement system for officers and employees of such city.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Agee	Edington	Jackson (T)	Pearson
Bank	Ellis	Jones	Perloff
Bassett	Fine	Kilgore	Pruitt
Beck	Foshee	Laxson	Robertson
Berryman (W)	Gafford	Lemley	Sessions
Blanton	Garrett	Lybrand	Shumate
Bowers	Gloor	Lyons	Snell
Brannan	Graham	Malone	Springer
Brassell	Grainger	Manley	Starnes
Cherner	Grayson	Marr	Steagall
Collier	Hain	Mays	Stembridge
Collins (C)	Harper	McCorquodale	Stubbs
Collins (W)	Harris	McDonald	Turnham
Cook (Coffee)	Haygood	Meade	Waggoner
Cook (Jefferson)	Headley	Melton	Weeks
Crawford	Higginbotham	Merrill	Williams
Culver	Hobbie	Nettles	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing			

—81

And the bill:

H. 1080. To authorize any County of this State having a population of 500,000 or more, according to the last or any subsequent Federal Census, to reimburse any officer, agent or employee of the County for any taxes which another State, or any County, municipality or political subdivision thereof, exacts from, or charges, such officer, agent or employee when he obtains in such other State lodging, or other facilities or items, which it is necessary for him to obtain in the performance of his duties for the County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bank	Drake	Jackson (T)	Paulk
Bassett	Edington	Jones	Pearson
Beck	Ellis	Kilgore	Perloff
Berryman (W)	Fine	Laxson	Pruitt
Blanton	Foshee	Lemley	Robertson
Bowers	Gafford	Lybrand	Sessions
Brannan	Garrett	Lyons	Shumate
Brassell	Gloor	Malone	Snell
Brown	Graham	Manley	Springer
Cameron	Grainger	Marr	Starnes
Cherner	Grayson	Mathews	Steagall
Collier	Hain	Mays	Stembridge
Collins (C)	Harper	McCorquodale	Stubbs
Collins (W)	Harris	McDonald	Tuck
Cook (Coffee)	Haygood	Meade	Turnham
Cook (Jefferson)	Headley	Meeks	Waggoner
Crawford	Higginbotham	Melton	Williams
Culver	Hobbie	Merrill	Wright
Dill	Holladay	Nettles	Yeilding
Dobbs	Holman		

—86

And the bill:

H. 1081. Relating to counties having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census; to provide for additional times when real property may be returned and valued for ad valorem tax purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Brown	Cook (Jefferson)	Foshee
Agee	Cameron	Crawford	Gafford
Bassett	Cherner	Dill	Garrett
Berryman (W)	Collier	Doss	Graham
Blanton	Collins (C)	Downing	Grainger
Brannan	Collins (W)	Edington	Grayson
Brassell	Cook (Coffee)	Ellis	Hain

Harper	Lemley	Nettles	Steagall
Harris	Lybrand	Owen (Baldwin)	Stembridge
Haygood	Lyons	Owens (W)	Stubbs
Headley	Malone	Paulk	Tuck
Higginbotham	Marr	Pearson	Turnham
Hobbie	Mays	Perloff	Waggoner
Holman	McCorquodale	Sessions	Weeks
House	McDonald	Shumate	Williams
Jackson (F)	Meade	Snell	Wright
Jones	Meeks	Springer	Yielding
Kilgore	Merrill	Starnes	Young

—72

And the bill:

H. 1082. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policemen's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Laxson	Pruitt
Beck	Fine	Lemley	Robertson
Berryman (W)	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Shumate
Bowers	Garrett	Malone	Snell
Brannan	Graham	Manley	Springer
Brassell	Grainger	Marr	Starnes
Brown	Grayson	Mathews	Steagall
Cameron	Hain	Mays	Stembridge
Cherner	Harper	McCorquodale	Stubbs
Collier	Harris	McDonald	Turnham
Collins (W)	Haygood	Meade	Waggoner
Cook (Coffee)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Melton	Williams
Crawford	Hobbie	Merrill	Wright
Culver	Holman	Nettles	Young
Dill	House	Owen (Baldwin)	
Doss	Jackson (F)	Owens (W)	

—82

And the bill:

H. 1083. To amend further the title, subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which established a pension system for the officers and employees of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Jones	Pearson
Bassett	Edington	Kilgore	Perloff
Beck	Ellis	Laxson	Pruitt
Blanton	Fine	Lemley	Robertson
Bolton	Foshee	Lybrand	Sessions
Bowers	Gafford	Lyons	Shumate
Brannan	Garrett	Malone	Snell
Brassell	Graham	Manley	Springer
Brown	Grainger	Marr	Starnes
Burgess	Grayson	Mathews	Steagall
Cameron	Hain	Mays	Stembridge
Cherner	Harper	McCorquodale	Stubbs
Collier	Harris	McDonald	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hobbie	Merrill	Williams
Culver	Holladay	Nettles	Wright
Dill	Holman	Owen (Baldwin)	Young
Dobbs	House		

—86

And the bill:

H. 217 (with substitute). Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Military Affairs, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the state military department and the head thereof; adding the title of commanding general of the state military forces to the existing title of adjutant general; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws, and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of commanding general of the state military forces is hereby added to the existing title of adjutant general. After this Act becomes effective the head of the state military department shall be designated the "Adjutant General and Commanding General of the State Military Forces"; and after such date wherever the term, adjutant general, is used in the laws of this state, such term shall be con-

strued and taken to mean the adjutant general and commanding general of the state military forces.

Section 2. Code of Alabama 1940, Title 35, Section 67, which relates to the head of the state military department, is amended to read as follows:

"Section 67. The head of the military department shall be a commissioned officer of the national guard of Alabama and shall be designated as the adjutant general and commanding general of the state military forces. He shall be designated and assigned to duty as the adjutant general and commanding general of the state military forces by the governor and shall serve as the adjutant general and commanding general of the state military forces at the pleasure of the governor. He may be commissioned as an officer in the Headquarters Alabama National Guard, as provided in section 64 of this title, and he may have such rank as is now or may hereafter be provided for an officer of the Headquarters Alabama National Guard, under the provisions of the national defense act and Department of Defense regulations promulgated thereunder. The officer of the national guard of Alabama assigned to duty by the governor as the adjutant general and commanding general of the state military forces may be commissioned by the governor as a general officer in the national guard of Alabama, with the consent of the senate. The adjutant general and commanding general of the state military forces shall be appointed from among active officers of the federally recognized national guard, and he shall have had at least six years service therein, two years of which must have been in the line, and shall have served as a commissioned officer in the active national guard for not less than four years. The adjutant general and commanding general of the state military forces of the state shall be in direct charge of the military department and shall be responsible to the governor and commander-in-chief for the proper performance of his duties. The Military Department shall include the Office of the Adjutant General and Commanding General of the State Military Forces, the National Guard, and the Alabama State Guard. All the powers conferred and duties imposed by law upon the adjutant general and commanding general of the state military forces shall be exercised or performed by him under the direction and control of the governor. The adjutant general and commanding general of the state military forces shall be chief of the state staff, national guard of Alabama, the personal staff of the governor, and similar military agencies of the state. He shall supervise the receipt, preservation, repair, distribution, issue and collection of all arms, military equipment, stores of the state and of the United States. He shall supervise all troops, arms and branches of the militia, such supervisory powers covering primarily all duties pertaining to the organization, armament, discipline, training, recruiting, inspecting, instructing, pay, subsistence and supplies. He shall maintain a roster of all the officers and men of the national guard and naval militia of the state and keep on file in his office copies of all orders, reports and communications received and issued by the military department in its several branches and sections. He shall, from time to time, cause the laws and all state regulations that may be written thereunder, to be printed, bound and distributed at the expense of the state. The adjutant general and commanding general of the state military forces shall, from time to time, prepare and publish, by order of the governor, such orders, rules and regulations consistent with the law as are necessary to bring the organization, armament, equipment, training and discipline of the various classes of the militia of Alabama to a state of efficiency as nearly as possible to that of the United States military forces. He shall prepare such reports and returns as the Department of Defense of the United States may prescribe and require. He shall perform such other duties as may be required of him by the commander-in-chief, and the comptroller of Alabama shall draw war-

rants on the treasury for all expenses incurred under this section on bills regularly presented to, and approved by, the governor. It shall be the duty of the adjutant general and commanding general of the state military forces, if ordered by the governor, to visit and inspect each company, troop, or battery at least once a year, and to report to the commander-in-chief the condition of armories and other military buildings and properties, and of the arms, equipment and personnel of said organizations, and make such recommendations as he thinks proper in regard thereto. Provided, that, the adjutant general and commanding general of the state military forces may designate members of the state staff or field officers of the national guard, as inspecting officers for the purposes in question. The adjutant general and commanding general of the state military forces shall assist all persons residing in Alabama, or other states, having claims against the state or the United States for compensation, pension, retired pay, bounty or back pay, or service medals and decorations awarded by the United States, or the state of Alabama, where such claims and requests have arisen out of, or by reason of, service in any of the wars or insurrections concerning the United States or the state of Alabama. He shall furnish to claimants, or their accredited representatives, or assist them in procuring all necessary certificates and certified abstracts from the records and documents in the state military department and other departments of the state or the United States. Provided, that, any or all of these services shall be rendered without charge to the claimant. The adjutant general and commanding general of the state military forces shall have a seal of office, to be approved by the commander-in-chief, and all copies of papers in his office duly certified and authenticated under the said seal shall be evidence in all cases in like manner as if the original were produced."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Gloor moved that the bill, H. 217, be carried over to the twenty-sixth legislative day.

On motion of Mr. Snell, the motion of Mr. Gloor to carry over was tabled.

Yeas 51; Nays 40.

Yeas:

Messrs.:	Dobbs	Hill	Owens (W.E.)
Agee	Doss	Jackson (F)	Paulk
Bank	Drake	Lemley	Pearson
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Manley	Smith
Bolton	Foshee	Mathews	Snell
Brannan	Garrett	McCorquodale	Springer
Brassell	Grainger	McElhaney	Steagall
Cameron	Grayson	Meade	Stembridge
Cook (Coffee)	Harper	Melton	Tuck
Cook (Jefferson)	Harris	Merrill	Turnham
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Owens (W)	Young

Nays:

Mr. Speaker	Dill	Jackson (T)	Money
Adwell	Downing	Jones	Owen (Baldwin)
Berryman (W)	Fine	Kilgore	Sessions
Blanton	Gafford	Laxson	Shumate
Bowers	Gloor	Lyons	Starnes
Burgess	Graham	Malone	Watkins
Cherner	Haygood	Marr	Weeks
Collins (C)	Hobbie	Mays	Williams
Collins (W)	Holman	McDonald	Wood
Crane	House	Meeks	Yeilding

—40

And the substitute to the bill, H. 217, reported by the Standing Committee on Military Affairs, was adopted.

Yeas 56; Nays 31.

Yeas:

Messrs.:	Drake	Jones	Owens (W)
Agee	Edington	Lemley	Owens (W.E.)
Bank	Ellis	Lybrand	Paulk
Bassett	Fine	Manley	Pearson
Beck	Foshee	Mathews	Perloff
Brannan	Garrett	Mays	Robertson
Brassell	Graham	McCorquodale	Snell
Cameron	Grainger	McElhaney	Steagall
Collins (W)	Harper	McLain	Stembridge
Cook (Coffee)	Harris	Meade	Tuck
Cook (Jefferson)	Headley	Meeks	Turnham
Crawford	Higginbotham	Melton	Williams
Culver	Hill	Merrill	Wright
Dobbs	Jackson (F)	Nettles	Young
Doss			

—56

Nays:

Mr. Speaker	Dill	Kilgore	Sessions
Adwell	Downing	Laxson	Shumate
Berryman (W)	Gafford	Lyons	Starnes
Bowers	Gloor	Malone	Waggoner
Burgess	Grayson	Marr	Watkins
Cherner	Haygood	McDonald	Weeks
Collins (C)	Holman	Money	Yeilding
Crane	Jackson (T)	Owen (Baldwin)	

—31

Mr. Gloor moved that the bill, H. 217, as amended, be carried over to the twenty-fifth legislative day.

On motion of Mr. Snell, the motion of Mr. Gloor to carry over was tabled.

Yeas 50; Nays 41.

Yeas:

Messrs.:	Brassell	Culver	Foshee
Agee	Cameron	Dobbs	Garrett
Bank	Collier	Doss	Grainger
Bassett	Cook (Coffee)	Drake	Harper
Beck	Cook (Jefferson)	Edington	Harris
Brannan	Crawford	Ellis	Headley

Higginbotham	McCorquodale	Owens (W.E.)	Steagall
Jackson (F)	McElhaney	Paulk	Stembridge
Lemley	Meade	Pearson	Tuck
Lybrand	Melton	Pennington	Turnham
Manley	Merrill	Perloff	Wright
Mathews	Nettles	Snell	Young
Mays	Owens (W)	Springer	—50

Nays:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Adwell	Fine	Jones	Sessions
Berryman (W)	Gafford	Kilgore	Shumate
Blanton	Gloor	Laxson	Starnes
Bowers	Graham	Lyons	Waggoner
Burgess	Grayson	Malone	Watkins
Cherner	Haygood	Marr	Weeks
Collins (C)	Hill	McDonald	Williams
Collins (W)	Hobbie	Meeks	Wood
Crane	Holman	Money	Yeilding
Dill			—41

And the bill, H. 217, as thus amended:

Relating to the state military department and the head thereof; adding the title of commanding general of the state military forces to the existing title of adjutant general; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws, and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 34.

Yeas:

Messrs.:	Dobbs	Jones	Owens (W.E.)
Agee	Doss	Lemley	Paulk
Bank	Drake	Lybrand	Pearson
Bassett	Edgington	Manley	Pennington
Beck	Ellis	Mathews	Robertson
Brannan	Fine	Mays	Snell
Brassell	Foshee	McCorquodale	Springer
Cameron	Garrett	McElhaney	Steagall
Collier	Grainger	McLain	Stembridge
Collins (W)	Harper	Meade	Tuck
Cook (Coffee)	Harris	Melton	Turnham
Cook (Jefferson)	Headley	Merrill	Watkins
Crawford	Higginbotham	Nettles	Wright
Culver	Jackson (F)	Owens (W)	Young
			—55

Nays:

Mr. Speaker	Downing	Kilgore	Owen (Baldwin)
Adwell	Gafford	Laxson	Perloff
Berryman (W)	Gloor	Lyons	Sessions
Bowers	Graham	Malone	Shumate
Burgess	Grayson	Marr	Starnes
Cherner	Haygood	McDonald	Waggoner
Collins (C)	Hill	Meeks	Weeks
Crane	Holman	Money	Yeilding
Dill	Jackson (T)		—34

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Also:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last Federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

Also:

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Also:

H. 935. To provide for the compensation of jurors in Jackson County.

Also:

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

Also:

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Also:

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retro-active effect of this act.

Also:

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Also:

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Also:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

Also:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

Also:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

Also:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

Also:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Also:

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate

limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until eleven o'clock A. M. Tuesday, July 29, 1969, was lost.

Yeas 28; Nays 64.

Yeas:

Mr. Speaker	Crane	Holman	Owen (Baldwin)
Adwell	Dill	Kilgore	Pearson
Blanton	Dobbs	Lyons	Shumate
Bowers	Doss	Malone	Starnes
Burgess	Gafford	Meade	Tuck
Cherner	Gloor	Melton	Watkins
Collier	Hain	Money	Weeks

—28

Nays:

Messrs.:	Edington	Jones	Paulk
Agee	Ellis	Laxson	Pennington
Bank	Fine	Lemley	Perloff
Bassett	Foshee	Lybrand	Robertson
Beck	Garrett	Manley	Sessions
Berryman (W)	Graham	Marr	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Springer
Cameron	Harper	McCorquodale	Steagall
Collins (C)	Haygood	McElhaney	Stembridge
Collins (W)	Headley	McLain	Stubbs
Cook (Coffee)	Higginbotham	Meeks	Turnham
Cook (Jefferson)	Hill	Merrill	Waggoner
Crawford	Hobbie	Nettles	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Owens (W.E.)	Young
Drake			

—64

BILLS ON THIRD READING RESUMED

And the bill:

H. 400. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk
Agee	Doss	Jones	Pearson
Bank	Downing	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Garrett	Manley	Smith
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cameron	Harper	McDonald	Stubbs
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Hill	Melton	Weeks
Cook (Jefferson)	Hobbie	Merrill	Williams
Crane	Holladay	Nettles	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	House	Owens (W)	Young

—84

And the bill:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Adwell	Downing	Jones	Pearson
Agee	Edington	Kilgore	Perloff
Bank	Ellis	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Foshee	Lybrand	Sessions
Berryman (W)	Gafford	Lyons	Shumate
Brannan	Garrett	Manley	Smith
Brassell	Graham	Marr	Springer
Brown	Grainger	Mathews	Starnes
Burgess	Grayson	Mays	Steagall
Cameron	Hain	McCorquodale	Stembridge
Cherner	Harper	McDonald	Stubbs
Collier	Harris	McElhaney	Tuck
Collins (C)	Haygood	McLain	Turnham
Collins (W)	Headley	Meade	Waggoner
Cook (Coffee)	Higginbotham	Meeks	Weeks
Cook (Jefferson)	Hill	Melton	Williams
Crane	Hobbie	Merrill	Wood
Crawford	Holladay	Nettles	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

—88

And the bill:

H. 301. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOBTAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

Was taken up.

Mr. Cook (Jefferson) offered the following amendment to the bill, H. 301:

Amend H. B. 301 by deleting the words "Bob Tailers" and the words "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" wherever they appear in the bill.

The motion of Mr. Hobbie that the amendment of Mr. Cook (Jefferson) be tabled was lost.

Yeas 32; Nays 48.

Yeas:

Messrs.:	Culver	Haygood	Owens (W)
Agee	Downing	Hill	Robertson
Brassell	Edington	Hobbie	Smith
Brown	Foshee	Jackson (F)	Starnes
Burgess	Grainger	Laxson	Tuck
Cameron	Grayson	Lybrand	Turnham
Collier	Hain	Mays	Wright
Collins (C)	Harris	McElhaney	Young
Collins (W)			

—32

Nays:

Mr. Speaker	Doss	Lyons	Pruitt
Adwell	Ellis	Malone	Sessions
Bassett	Fine	Manley	Shumate
Beck	Gafford	Marr	Snell
Berryman (W)	Garrett	McCorquodale	Springer
Cherner	Graham	McDonald	Stembridge
Cook (Coffee)	Headley	Meade	Stubbs
Cook (Jefferson)	Holman	Meeks	Waggoner
Crane	House	Melton	Weeks
Crawford	Jones	Nettles	Williams
Dill	Kilgore	Paulk	Wood
Dobbs	Lemley	Perloff	Yeilding

—48

And the amendment offered by Mr. Cook (Jefferson) to the bill, H. 301, was adopted.

Yeas 54; Nays 26.

Yeas:

Mr. Speaker	Cook (Jefferson)	Fine	Jones
Bassett	Crane	Gafford	Kilgore
Beck	Crawford	Graham	Laxson
Berryman (W)	Dill	Headley	Lemley
Brassell	Dobbs	Hill	Lybrand
Cherner	Doss	Holman	Lyons
Cook (Coffee)	Ellis	House	Malone

Marr	Merrill	Snell	Waggoner
Mathews	Nettles	Springer	Weeks
McCorquodale	Owens (W)	Starnes	Williams
McDonald	Paulk	Steagall	Wood
Meade	Pruitt	Stubbs	Wright
Meeks	Sessions	Tuck	Yeilding
Melton	Shumate		

—54

Nays:

Messrs.:	Collins (W)	Grayson	McElhaney
Agee	Culver	Harris	Owen (Baldwin)
Brannan	Downing	Haygood	Perloff
Burgess	Edington	Hobbie	Robertson
Cameron	Foshee	Jackson (F)	Smith
Collier	Garrett	Manley	Young
Collins (C)	Grainger	Mays	

—26

And the bill, H. 301, as thus amended:

H. 301. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, AND COOLING STATIONS," so as to bring within the provision of said section.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 4.

Yeas:

Mr. Speaker	Doss	Jones	Perloff
Adwell	Downing	Kilgore	Pruitt
Agee	Edington	Laxson	Robertson
Bassett	Ellis	Lemley	Sessions
Beck	Fine	Lybrand	Shumate
Berryman (W)	Foshee	Lyons	Smith
Blanton	Gafford	Malone	Snell
Bolton	Garrett	Manley	Springer
Brannan	Graham	Mathews	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Harper	McElhaney	Tuck
Collier	Haygood	McLain	Turnham
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wood
Crane	Holladay	Owens (W)	Wright
Culver	Holman	Paulk	Yeilding
Dill	House	Pearson	Young
Dobbs	Jackson (F)		

—86

Nays:

Messrs.:	Marr	Melton	Nettles
Harris			

—4

And the bill:

H. 302. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

Was taken up.

Mr. Cook (Jefferson) offered the following amendment to the bill, H. 302:

Amend H. B. #302 by deleting the words "Bulk Milk Tank Driver" and "Bulk Milk Tank Haulers" wherever they appear in the bill.

And the amendment was adopted.

Yeas 58; Nays 19.

Yeas:

Mr. Speaker	Gafford	Mays	Snell
Adwell	Graham	McCorquodale	Springer
Bassett	Grayson	McDonald	Starnes
Beck	Haygood	Meade	Steagall
Berryman (W)	Headley	Meeks	Stembridge
Brassell	Holman	Melton	Stubbs
Cook (Coffee)	House	Nettles	Tuck
Cook (Jefferson)	Jackson (T)	Owens (W)	Turnham
Crane	Jones	Paulk	Waggoner
Crawford	Kilgore	Pennington	Williams
Dobbs	Lemley	Perloff	Wood
Doss	Lyons	Pruitt	Wright
Downing	Malone	Sessions	Yeilding
Ellis	Manley	Shumate	Young
Fine	Marr		

—58

Nays:

Messrs.:	Collins (W)	Grainger	Jackson (F)
Agee	Culver	Harper	Laxson
Cameron	Dill	Harris	McElhaney
Collier	Edington	Hill	Owen (Baldwin)
Collins (C)	Garrett	Hobbie	Weeks

—19

And the bill, H. 302, as thus amended:

H. 302. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Brannan	Collins (C)	Dill
Agee	Brassell	Collins (W)	Dobbs
Bassett	Brown	Cook (Jefferson)	Doss
Beck	Burgess	Crane	Downing
Berryman (W)	Cameron	Crawford	Edington
Blanton	Collier	Culver	Ellis

Fine	Jackson (F)	McLain	Springer
Foshee	Jackson (T)	Meeks	Starnes
Gafford	Jones	Merrill	Steagall
Graham	Kilgore	Owens (W)	Stembridge
Grainger	Laxson	Paulk	Stubbs
Grayson	Lemley	Pearson	Tuck
Hain	Lybrand	Pennington	Turnham
Harris	Malone	Perloff	Waggoner
Haygood	Manley	Pruitt	Weeks
Headley	Mathews	Robertson	Williams
Higginbotham	Mays	Sessions	Wood
Hill	McCorquodale	Shumate	Wright
Hobbie	McDonald	Smith	Yeilding
Holman	McElhaney	Snell	Young
House			

—81

Nays: Messrs. Marr and Melton.

—2

And the bill:

H. 303. To amend further Code of Alabama 1940, Title 22, Section 220, as amended, which pertains to "Executive Secretary and Financial Officer", so as to fix the maximum compensation of the Executive Secretary at \$12,500 and to further require a bond in such amount as may be fixed by the Treasurer, not to exceed \$12,500, as may be provided by law for public officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 6.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Agee	Downing	Lemley	Perloff
Bassett	Edington	Lybrand	Pruitt
Beck	Fine	Lyons	Robertson
Berryman (W)	Foshee	Malone	Shumate
Blanton	Garrett	Manley	Smith
Bolton	Grainger	Mathews	Snell
Brannan	Grayson	Mays	Springer
Brassell	Hain	McCorquodale	Starnes
Brown	Harper	McDonald	Steagall
Cameron	Harris	McElhaney	Stembridge
Cherner	Haygood	McLain	Stubbs
Collier	Headley	Meade	Tuck
Collins (C)	Higginbotham	Meeks	Weeks
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Hobbie	Nettles	Wood
Culver	Holladay	Owen (Baldwin)	Wright
Dill	Jackson (F)	Paulk	Young
Dobbs	Jones		

—74

Nays:

Messrs.:	Crawford	Graham	Melton
Burgess	Ellis	Marr	

—6

MOTION TO BRING UP BILLS LOST

The motion of Mr. Harris to suspend the rules and bring up the bills, H. 298, H. 299 and H. 300 out of order was lost.

Yeas 45; Nays 33.

Yeas:

Messrs.:	Cook (Coffee)	Hill	Owen (Baldwin)
Agee	Crane	Hobbie	Owens (W)
Bank	Culver	Jackson (F)	Paulk
Berryman (W)	Dill	Laxson	Pearson
Blanton	Ellis	Marr	Perloff
Bolton	Foshee	Mathews	Robertson
Brannan	Garrett	Mays	Smith
Brassell	Grayson	McElhaney	Springer
Brown	Hain	McLain	Stubbs
Cameron	Harper	Meade	Tuck
Collier	Harris	Melton	Wright
Collins (C)	Headley		

—45

Nays:

Mr. Speaker	Gafford	Lybrand	Starnes
Beck	Graham	Lyons	Stembridge
Burgess	Haygood	Malone	Waggoner
Cherner	House	McCorquodale	Weeks
Collins (W)	Jackson (T)	Meeks	Williams
Crawford	Jones	Nettles	Wood
Downing	Kilgore	Sessions	Yeilding
Edington	Lemley	Shumate	Young
Fine			

—33

And the bill:

H. 660. Relating to state revenue; exempting from the sales tax levied by Section 2(b), Act No. 100, Second Special Session 1959, the gross proceeds from the sales tax levied by Section 2(b), Act No. 100, Second Special Session 1959, the gross proceeds from sales of admissions to and other sales in connection with the annual Shrine football game in Montgomery, the proceeds of which are devoted to the Crippled Children's Hospital.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 7.

Yeas:

Mr. Speaker	Dill	House	Pearson
Agee	Dobbs	Jackson (F)	Perloff
Bank	Doss	Jones	Pruitt
Bassett	Downing	Laxson	Robertson
Beck	Edington	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Smith
Bolton	Garrett	Malone	Snell
Brannan	Grainger	Manley	Springer
Brassell	Grayson	Mathews	Starnes
Brown	Hain	McCorquodale	Steagall
Burgess	Harper	McDonald	Stembridge
Cameron	Harris	McElhaney	Stubbs
Collier	Haygood	McLain	Tuck
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hill	Melton	Williams
Cook (Jefferson)	Hobbie	Nettles	Wright
Crawford	Holladay	Owens (W)	Young
Culver	Holman		

—78

Nays:

Messrs.:	Ellis	Marr	Wood
Crane	Graham	Mays	Yeilding

—7

RESOLUTION

The following resolution was introduced:

By Messrs. Wood, McCorquodale, Perloff, Collins (W), Nettles, Lyons, Marr, Downing, Grayson, Collins (C), Edington, Melton, Agee, Garrett, Owen (Baldwin), Brannan and Mays:

H. J. R. 103. WHEREAS, Auburn University has recently indicated that the Office of the State Toxicologist, located in Mobile, Alabama, will be removed from that city to Auburn, Alabama by January 1, 1970, and

WHEREAS, said office, under the able leadership of Dr. Nelson Grubbs, has been of invaluable assistance to law enforcement officials in the Mobile and South Alabama areas, and,

WHEREAS, law enforcement officials, the courts, and public has benefited greatly from the present location of the Office of the State Toxicologist in Mobile, Alabama,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That the Office of the State Toxicologist, presently located in Mobile, Alabama, remain in that city; and

BE IT FURTHER RESOLVED, That the Secretary of State send a copy of this resolution to the President of Auburn University and to each member of the Board of Trustees of Auburn University.

On motion of Mr. Wood, the rules were suspended and H. J. R. 103 was adopted.

Yeas 61; Nays 6.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Nettles
Agee	Edington	Jones	Owen (Baldwin)
Bank	Ellis	Laxson	Owens (W)
Berryman (W)	Fine	Lemley	Pearson
Brannan	Foshee	Lyons	Pennington
Brown	Gafford	Manley	Perloff
Burgreen	Garrett	Marr	Pruitt
Cameron	Graham	Mathews	Robertson
Collier	Grayson	Mays	Shumate
Collins (C)	Hain	McCorquodale	Starnes
Collins (W)	Harris	McDonald	Stembridge
Cook (Coffee)	Haygood	McLain	Tuck
Crane	Hobbie	Meade	Weeks
Culver	House	Meeks	Yeilding
Dobbs	Jackson (F)	Melton	Young
Doss			

—61

Nays:

Messrs.:	Brassell	Higginbotham	Steagall
Bassett	Dill	McElhaney	

—6

And the bill:

H. 414 (with substitute). To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 611, as amended, is amended further to read as follows:

611. Transient vendors and peddlers.—(a) Each person travelling on an animal or using a vehicle other than a motor vehicle, doing business as a transient vendor or peddler as defined in this section, displaying, selling, or offering to sell any goods, wares, or merchandise, other than to a merchant for resale, shall pay a privilege license to the state of Alabama of fifteen dollars and five dollars for the county in each county in which such transient vendor or peddler does business for each vehicle. (b) Each itinerant vendor or peddler of merchandise, other than tobacco products, medicines or household remedies, or liquified petroleum products, who operate on foot or use a vehicle solely for the purpose of transporting merchandise from house to house or place to place but who do not use such vehicle for the display of merchandise or as a rolling store and who do not permit purchasers to enter said vehicle for the purpose of purchasing merchandise, shall pay an annual license of twenty dollars to the state and ten dollars to the county in each county in which they do business. Provided that each firm, company, corporation, partnership or cooperative displaying, selling, offering to sell or giving away milk, milk products, non-milk products, goods, wares or merchandise of whatever nature from the same motor vehicle shall pay the state an annual license of twenty dollars and in addition thereto five dollars to each county in which such transient dealer does business as such, and, provided further, that any firm, company, corporation, partnership or cooperative making use of more than one vehicle in carrying on such business he shall, for each such vehicle in excess of one, upon payment of five dollars to the department of revenue, procure a permit for the operation of such motor vehicle and shall not be subject to any additional license tax for the privilege of operating such motor vehicle or motor vehicles, other than the motor vehicle license. (c) Each person using a motor vehicle, doing business as a transient vendor or peddler as defined in this section displaying, selling or offering to sell any goods, wares or merchandise of whatever nature, at retail shall pay to the state in order to engage in such business the following licenses: Upon one motor vehicle, the annual license for each such motor vehicle, not in excess of one, so used, shall be one hundred dollars. Upon two motor vehicles, or more, but not to exceed three, the annual license fee for each such additional motor vehicle shall be—one hundred and thirty dollars. Upon more than three motor vehicles, but not to exceed six, the annual license fee for each such additional motor vehicle shall be—one hundred and fifty dollars. Upon each motor

vehicle in excess of six, for each such additional motor vehicle two hundred dollars. In addition to the above, there is levied a license of—fifty dollars for the state and a county license of fifty dollars in each additional county in which said business is conducted. Rolling stores which are controlled or held with others by stock ownership of twenty-five percent or ultimately controlled or directed by one management or association of ultimate management, shall be deemed for the purpose of this section as being owned by the same person. (d) Each person going from person to person, place to place, town to town, selling or giving away medicine, salves, ointments, lotions or other goods, wares or merchandise, by exhibitions, shows, performances or other entertainment, whether sold for himself or another, in each county where such sales or gifts are made, shall pay a license of one hundred dollars. Definition of transient vendor or peddler: When used in this section, the words "transient vendor or peddler" shall be held to include any person embraced in any of the following classifications: (a) All persons commonly and generally termed "peddlers" and falling within the usual and commonly understood definition of "peddler"; or, (b) all persons acting for themselves or as an agent, employee or salesman, or in any capacity for another whether as owner, bailee, or other custodian of goods, wares and merchandise, going from person to person, house to house, or place to place, and selling or offering to sell, or consigning or offering to consign, other than to a retail merchant for resale, goods, wares and merchandise; or, (c) all persons who do not keep a regular place of business, open at all times in regular business hours at the same place, going from person to person, house to house, or place to place, or from town to town, and selling or offering for sale, other than to a retail merchant, goods, wares, and merchandise which they carry with them and who deliver the same at the time of or immediately after the sale; or, (d) all persons who go from person to person, house to house, place to place, soliciting orders, other than from a retail merchant for resale, by exhibiting samples, or taking orders and thereafter making delivery of the goods or filling the order, without carrying or sending the order to the permanent place of business. This section shall not apply to a person or to any member of his immediate household, selling or offering to sell dairy, poultry, or farm products raised, produced or grown by himself, or the immediate members of his household, or such products preserved, bottled, or canned by himself, or the immediate members of his household, or to persons peddling wood, charcoal, fruit or vegetables; or to blind persons or persons physically disabled to the extent of thirty percent, such disability to be certified to by a reputable physician and the local license inspector, operating other than a rolling store, or to peddlers of poultry and eggs, or to persons selling fish, shrimp, crabs or other sea foods. These and none other shall be exempt from the payment of the license tax levied by this section. The payment of the privilege license required by this section shall not authorize any transient vendor or peddler to sell any goods, wares or merchandise for which a higher or specific license is required without the payment of such license in addition to the license herein levied, or to sell any goods, wares or merchandise that are by law required to be sold at a fixed location, except upon the payment of the maximum license levied under the section of sections of this chapter for the sale of merchandise at a fixed location. This section shall not apply to transient dealers of bottled soft drinks when sold or distributed from a bottling plant which has paid the privilege license imposed by section 476 of this title.

Section 2. All other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective October 1, 1969, following

its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Dill	House	Merrill
Agee	Doss	Jackson (F)	Owen (Baldwin)
Bassett	Downing	Jones	Pearson
Berryman (W)	Edington	Laxson	Pennington
Blanton	Ellis	Lemley	Perloff
Bolton	Fine	Lybrand	Pruitt
Brannan	Foshee	Lyons	Sessions
Brassell	Gafford	Malone	Shumate
Brown	Grainger	Manley	Snell
Cameron	Grayson	Marr	Springer
Cherner	Hain	Mathews	Starnes
Collier	Harper	Mays	Steagall
Collins (W)	Harris	McCorquodale	Stembridge
Cook (Coffee)	Haygood	McDonald	Tuck
Cook (Jefferson)	Headley	McElhaney	Williams
Crane	Higginbotham	McLain	Wood
Crawford	Hobbie	Meeks	Yelding
Culver	Holman	Melton	Young

—72

Nays: Messrs. Garrett, Meade and Nettles.

—3

Mr. Springer offered the following amendment to the bill, H. 414, as amended:

The Substitute for H. B. 414 is amended as follows:

In Section 1 strike out in its entirety the first subsection (b) of Section 611 of Title 51 as set out in said Section 1 and insert in lieu thereof the following:

“(b) Each itinerant vendor or peddler of merchandise, other than tobacco products, medicines or household remedies, or liquified petroleum products, but including persons, firms, corporations, partnerships or cooperatives whose principal business is selling and distributing milk and dairy products, who operates on foot or uses a vehicle solely for the purpose of transporting merchandise from house to house or place to place but who does not use such vehicle for the display of merchandise or as a rolling store and who does not permit purchasers to enter said vehicle for the purpose of purchasing merchandise, shall pay an annual license of twenty dollars to the state and ten dollars to the county in each county in which they do business; and the payment of one state license shall authorize such persons, firms, corporations, partnerships or cooperatives to engage in such business in any county in the state upon the payment of a county license of ten dollars to each county in which said persons, firms, corporations, partnerships or cooperatives do business.”

And the amendment was adopted.

Yeas 65; Nays 10.

Yeas:

Mr. Speaker	Berryman (W)	Collier	Culver
Agee	Blanton	Collins (W)	Dill
Bank	Brannan	Cook (Coffee)	Doss
Bassett	Brassell	Crane	Downing

Drake	Hobbie	McCorquodale	Pruitt
Edington	Holladay	McDonald	Sessions
Ellis	Jackson (F)	McElhaney	Shumate
Fine	Jones	McLain	Snell
Foshee	Laxson	Meeks	Springer
Graham	Lemley	Melton	Starnes
Grainger	Lybrand	Merrill	Steagall
Grayson	Lyons	Owen (Baldwin)	Stembridge
Hain	Malone	Owens (W)	Tuck
Harris	Manley	Pearson	Weeks
Haygood	Mathews	Pennington	Williams
Headley	Mays	Perloff	Wright
Higginbotham			

—65

Nays:

Messrs.:	Crawford	Jackson (T)	Nettles
Burgess	Gafford	Marr	Robertson
Collins (C)	Garrett	Meade	

—10

And the bill, H. 414, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 16.

Yeas:

Mr. Speaker	Ellis	Jones	Owens (W)
Agee	Fine	Laxson	Pearson
Bank	Foshee	Lemley	Pennington
Bassett	Graham	Lybrand	Perloff
Blanton	Grainger	Malone	Pruitt
Brannan	Grayson	Manley	Sessions
Brassell	Hain	Mathews	Shumate
Brown	Harper	Mays	Snell
Collier	Harris	McCorquodale	Springer
Collins (W)	Haygood	McDonald	Starnes
Cook (Coffee)	Headley	McElhaney	Steagall
Culver	Higginbotham	McLain	Tuck
Doss	Hill	Melton	Weeks
Downing	Hobbie	Merrill	Williams
Drake	Holladay	Owen (Baldwin)	Wright
Edington	Jackson (F)		

—62

Nays:

Messrs.:	Crane	Garrett	Meade
Berryman (W)	Crawford	Jackson (T)	Nettles
Burgess	Dill	Kilgore	Robertson
Cherner	Gafford	Marr	Stembridge
Collins (C)			

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such

District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

Also:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

Also:

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Also:

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Also:

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Also:

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Also:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

McDOWELL LEE,
Secretary.

UNANIMOUS CONSENT GRANTED

At the request of Mr. House, unanimous consent was granted for the Journal of the House to show he voted Yea on the bill, H. 217, as his machine was broken.

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until eleven o'clock A. M. Tuesday, July 29, 1969, was lost.

Yeas 27; Nays 58.

Yeas:

Mr. Speaker	Dill	Holladay	Owen (Baldwin)
Beck	Doss	Laxson	Owens (W.E.)
Berryman (W)	Drake	Malone	Pearson
Blanton	Graham	Mathews	Shumate
Brannan	Hain	Meade	Weeks
Brassell	Harper	Melton	Wright
Crawford	Headley	Merrill	

—27

Nays:

Messrs.:	Fine	Lemley	Robertson
Agee	Foshee	Lybrand	Sessions
Bassett	Gafford	Lyons	Smith
Brown	Garrett	Manley	Snell
Cherner	Grainger	Marr	Springer
Collier	Grayson	Mays	Starnes
Collins (C)	Harris	McCorquodale	Steagall
Collins (W)	Haygood	McDonald	Stembridge
Cook (Coffee)	Higginbotham	McElhanev	Stubbs
Cook (Jefferson)	Hill	McLain	Tuck
Crane	Holman	Meeks	Turnham
Culver	House	Nettles	Waggoner
Downing	Jackson (F)	Owens (W)	Williams
Edington	Jackson (T)	Perloff	Yeilding
Ellis	Jones	Pruitt	

—58

BILLS ON THIRD READING RESUMED

And the bill:

H. 566. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 5.

Yeas:

Mr. Speaker	Blanton	Cook (Coffee)	Drake
Agee	Brannan	Cook (Jefferson)	Ellis
Bank	Brassell	Crawford	Fine
Bassett	Brown	Culver	Foshee
Beck	Collier	Doss	Garrett
Berryman (W)	Collins (W)	Downing	Graham

Grainger	Jones	McDonald	Shumate
Grayson	Laxson	McElhaney	Snell
Hain	Lemley	McLain	Starnes
Harper	Lybrand	Meade	Steagall
Harris	Lyons	Melton	Stubbs
Haygood	Malone	Nettles	Tuck
Hill	Manley	Pearson	Weeks
Holladay	Mathews	Perloff	Williams
Holman	Mays	Pruitt	Wood
House	McCorquodale	Robertson	Wright
Jackson (F)			

—65

Nays:

Messrs.:	Edington	Jackson (T)	Marr
Collins (C)	Gafford		

—5

And the bill:

H. 567. To authorize municipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 5.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson
Agee	Drake	Lybrand	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Malone	Robertson
Berryman (W)	Foshee	Manley	Sessions
Blanton	Garrett	Mathews	Shumate
Bolton	Graham	Mays	Snell
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McDonald	Steagall
Brown	Harper	McElhaney	Stembridge
Collier	Harris	McLain	Stubbs
Collins (W)	Haygood	Meade	Tuck
Cook (Coffee)	Hill	Meeks	Turnham
Cook (Jefferson)	Holladay	Melton	Weeks
Crawford	House	Merrill	Williams
Culver	Jackson (F)	Nettles	Wood
Dill	Jones	Owen (Baldwin)	Wright
Doss	Laxson	Owens (W.E.)	Yeilding

—72

Nays:

Messrs.:	Edington	Jackson (T)	Marr
Collins (C)	Gafford		

—5

And the bill:

H. 803. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Agee	Drake	Lemley	Pruitt
Bank	Edington	Manley	Robertson
Bassett	Ellis	Mathews	Sessions
Beck	Fine	Mays	Snell
Berryman (W)	Foshee	McCorquodale	Springer
Blanton	Graham	McDonald	Starnes
Bolton	Grainger	McElhaney	Steagall
Brannan	Grayson	McLain	Stembridge
Brassell	Hain	Meade	Stubbs
Brown	Harper	Melton	Tuck
Burgess	Harris	Merrill	Turnham
Collier	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Hill	Owens (W)	Wood
Crawford	Holman	Owens (W.E.)	Wright
Culver	Jackson (F)	Pearson	Young
Dill	Jones		

—70

Nays:

Messrs.: Adwell	Gafford	Jackson (T)	Yeilding
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—4

And the bill:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	McElhaney
Agee	Dill	Hill	McLain
Bassett	Doss	Holman	Meade
Beck	Downing	House	Meeks
Blanton	Edington	Jackson (F)	Melton
Bolton	Fine	Jones	Merrill
Brannan	Foshee	Laxson	Nettles
Brassell	Garrett	Lemley	Owen (Baldwin)
Brown	Graham	Lybrand	Owens (W)
Burgess	Grainger	Malone	Owens (W.E.)
Collier	Grayson	Marr	Pearson
Collins (C)	Hain	Mathews	Perloff
Collins (W)	Harper	Mays	Pruitt
Cook (Coffee)	Harris	McCorquodale	Robertson
Cook (Jefferson)	Headley	McDonald	Sessions

Snell	Stembridge	Weeks	Wright
Springer	Stubbs	Williams	Yeilding
Starnes	Tuck	Wood	Young
Steagall	Turnham		

—74

H. 238 INDEFINITELY POSTPONED

At the request of Mr. House, the bill, H. 238, was indefinitely postponed.

And the bill:

H. 533. To amend Sections 1 and 3 of Act No. 322, General Acts of Alabama 1947, page 212, which pertains to the catching of shrimp for bait during the closed season and for the licensing of persons selling or offering for sale such shrimp.

Was taken up.

The following amendment was offered to the bill, H. 533, by Messrs. Grayson, Shumate, Agee, Young, Kilgore, McCorquodale, Tuck, Stubbs, Hardin and Owen (Baldwin):

That House Bill 533 be amended by deleting Section 6, 7 and 8 thereof and by inserting in lieu thereof the following:

Section 6. Nothing in this law or any of the laws of the State of Alabama shall be so construed as to prevent any citizen thereof from taking or catching or attempting to catch or take any shrimp not in quantities greater than five (5) pounds for each person in a boat, nor shall more than fifteen (15) pounds be caught by any boat each day regardless of the number of persons therein, in any of the open waters of Mobile Bay below what is known as Battleship Causeway without a license therefor and within or without the closed seasons as declared by the Director of Conservation; provided that such shrimp shall be taken only in the manner provided for in Section 2 of Act No. 322, General Acts of Alabama 1947, page 212 as amended by Act No. 717, 1953 of Alabama, Page 970.

Section 7. All laws or parts of laws in conflict with the provisions of this act are hereby expressly repealed.

Section 8. If any section, clause or sentence hereof shall be declared invalid or unconstitutional by any court, it shall not affect the validity of any remaining portion, it being the expressed intent of the Legislature to enact such portions as are valid and constitutional.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Blanton	Burgess	Crawford
Agee	Bowers	Collier	Culver
Bassett	Brannan	Collins (C)	Dill
Beck	Brassell	Collins (W)	Dobbs
Berryman (W)	Brown	Cook (Coffee)	Doss

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Downing	Hill	McElhaney	Shumate
Drake	Holladay	McLain	Snell
Edington	Holman	Meade	Springer
Ellis	House	Meeks	Starnes
Fine	Jackson (F)	Melton	Steagall
Foshee	Jackson (T)	Merrill	Stembridge
Gafford	Jones	Nettles	Stubbs
Garrett	Laxson	Owen (Baldwin)	Tuck
Graham	Lemley	Owens (W)	Turnham
Grayson	Lybrand	Owens (W.E.)	Weeks
Hain	Lyons	Pearson	Williams
Harper	Manley	Perloff	Wood
Harris	Marr	Pruitt	Wright
Headley	Mathews	Robertson	Yeilding
Higginbotham	Mays	Sessions	Young

—80

Nay: Mr. Cherner

—1

And the bill, H. 533, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Agee	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Manley	Shumate
Bowers	Garrett	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
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Crawford	Hill	Merrill	Williams
Culver	Holman	Nettles	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Owens (W.E.)	Young

—80

And the bill:

H. 870. To provide for a refund of a portion of the state tax paid on gasoline which is used solely for the fixed and static testing of engines manufactured or re-manufactured in the State of Alabama; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Agee	Edington	Laxson	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Garrett	Manley	Sessions
Blanton	Graham	Marr	Shumate
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Stembridge
Burgess	Harper	McElhaney	Stubbs
Cameron	Harris	McLain	Tuck
Collier	Haygood	Meade	Turnham
Collins (C)	Headley	Meeks	Waggoner
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Culver	Holman	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Owens (W.E.)	Young

—80

Nays: Messrs. Dill and Lemley.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

Also:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

Also:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Also:

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Also:

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Also:

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Also:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP H. 990

On motion of Mr. McDonald, the rules were suspended and permission granted to bring up the bill, H. 990, out of order.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cook (Coffee)	Foshee
Agee	Brannan	Culver	Garrett
Bank	Brassell	Dill	Graham
Bassett	Brown	Dobbs	Grainger
Beck	Collier	Downing	Grayson
Berryman (W)	Collins (W)	Ellis	Hain

Harper	Lyons	Owen (Baldwin)	Steagall
Harris	Manley	Owens (W)	Stembridge
Haygood	Mathews	Owens (W.E.)	Stubbs
Headley	Mays	Pearson	Tuck
Higginbotham	McCorquodale	Perloff	Waggoner
Hill	McElhaney	Pruitt	Weeks
Jackson (F)	McLain	Robertson	Williams
Jones	Meade	Sessions	Wood
Kilgore	Meeks	Smith	Wright
Laxson	Melton	Snell	Yeilding
Lemley	Merrill	Starnes	Young
Lybrand	Nettles		

—70

And the bill:

H. 990. To amend Section 6 of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to provide that if at any time any corporation organized thereunder or whose certificate of incorporation has been amended thereunder (regardless of whether it has ever issued any bonds) does not have any bonds outstanding, its Board of Directors may adopt a resolution declaring that such corporation shall be dissolved and that upon the filing for record of a certified copy of such resolution in the office of the Judge of Probate of the county wherein the certificate of incorporation of such corporation was filed, such corporation shall stand dissolved and title to any property and assets then owned by it shall (except as otherwise provided in Section 7 of said Act No. 175) vest in the municipality which authorized its incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Perloff
Agee	Ellis	Laxson	Pruitt
Bank	Fine	Lemley	Robertson
Bassett	Foshee	Lybrand	Sessions
Berryman (W)	Garrett	Lyons	Smith
Blanton	Graham	Manley	Snell
Brannan	Grainger	Marr	Springer
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Steagall
Cherner	Harper	McElhaney	Stembridge
Collier	Harris	McLain	Stubbs
Collins (W)	Haygood	Meeks	Tuck
Cook (Coffee)	Headley	Melton	Turnham
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Owen (Baldwin)	Williams
Culver	Holman	Owens (W)	Wood
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs	Jackson (T)	Pearson	Young
Downing	Jones		

—74

UNFINISHED BUSINESS

And the bill:

H. 108 (with amendment). Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Was again taken up for consideration, together with amendments.

MOTION TO ADJOURN LOST

The motion of Mr. Doss that the House adjourn until eleven o'clock A. M., Tuesday, July 29, 1969, was lost.

Yeas 27; Nays 60.

Yeas:

Mr. Speaker	Crawford	Mathews	Perloff
Bank	Doss	Mays	Pruitt
Bassett	Drake	Meade	Shumate
Beck	Harris	Melton	Starnes
Brannan	Haygood	Merrill	Steagall
Brassell	Headley	Owen (Baldwin)	Stembridge
Burgess	Holladay	Owens (W.E.)	

—27

Nays:

Messrs.:	Edington	House	Pearson
Adwell	Ellis	Jackson (F)	Pennington
Agee	Fine	Jackson (T)	Robertson
Berryman (W)	Foshee	Jones	Sessions
Blanton	Gafford	Kilgore	Smith
Brown	Garrett	Lemley	Snell
Cherner	Gloor	Lybrand	Stubbs
Collier	Graham	Manley	Tuck
Collins (C)	Grainger	McCorquodale	Turnham
Collins (W)	Grayson	McDonald	Waggoner
Cook (Coffee)	Hain	McElhaney	Weeks
Cook (Jefferson)	Harper	McLain	Wood
Culver	Higginbotham	Meeks	Wright
Dill	Hill	Nettles	Yeilding
Dobbs	Holman	Owens (W)	Young
Downing			

—60

MOTION TO RECESS LOST

The motion of Mr. Marr that the House recess for five minutes was lost.

Yeas 36; Nays 49.

Yeas:

Mr. Speaker	Collins (W)	Haygood	Perloff
Bank	Crawford	Lyons	Pruitt
Bassett	Culver	Marr	Robertson
Beck	Doss	Mathews	Sessions
Berryman (W)	Downing	Meeks	Shumate
Blanton	Drake	Melton	Stembridge
Bolton	Graham	Merrill	Tuck
Brannan	Grayson	Nettles	Wood
Brassell	Harris	Owen (Baldwin)	Wright

—36

Nays:

Messrs.:	Collins (C)	Ellis	Gloor
Agee	Cook (Jefferson)	Fine	Grainger
Bowers	Crane	Foshee	Hain
Burgess	Dill	Gafford	Harper
Cherner	Edington	Garrett	Headley

Higginbotham	Lybrand	Meade	Stubbs
Hill	Malone	Owens (W)	Turnham
Holman	Manley	Pearson	Waggoner
Jackson (F)	Mays	Pennington	Weeks
Jones	McCorquodale	Smith	Williams
Kilgore	McDonald	Snell	Yeilding
Laxson	McElhaney	Steagall	Young
Lemley	McLain		

—49

CONSIDERATION OF H. 108 RESUMED

At the request of Mr. Young, unanimous consent was granted to add his name as a co-sponsor to the bill, H. 108.

Mr. Marr offered the following substitute to the bill, H. 108, as amended:

Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

AMENDMENT

The legislature shall meet in regular session annually on the first Tuesday in May, or on such other day as may be prescribed by law and shall not remain in session longer than thirty-six legislative days in odd-numbered years or more than eighteen legislative days in even-numbered years. All business before either house or any standing committee thereof at the end of the short annual session may be resumed in the next annual session, provided that no business shall be carried over beyond the term for which the members were elected. The provisions of this Constitution in conflict herewith are hereby repealed.

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1 Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Mrs. Collins (C) moved to table the substitute offered by Mr. Marr.

MOTION TO ADJOURN LOST

The motion of Mr. Marr that the House adjourn until twelve o'clock noon, Tuesday, July 29, 1969, was lost.

Yeas 32; Nays 54.

Yeas:

Mr. Speaker	Crawford	Haygood	Merrill
Bank	Doss	Headley	Owen (Baldwin)
Bassett	Drake	Holladay	Owens (W.E.)
Beck	Ellis	Malone	Pruitt
Blanton	Fine	Marr	Shumate
Bolton	Hain	Mathews	Starnes
Brannan	Harper	Meade	Steagall
Brassell	Harris	Melton	Wood

—32

Nays:

Messrs.:	Downing	Kilgore	Pennington
Adwell	Edington	Laxson	Robertson
Agee	Foshee	Lemley	Sessions
Berryman (W)	Gafford	Lybrand	Smith
Burgess	Garrett	Lyons	Stembridge
Cherner	Gloor	Manley	Tuck
Collins (C)	Graham	Mays	Turnham
Collins (W)	Grainger	McCorquodale	Waggoner
Cook (Coffee)	Grayson	McDonald	Weeks
Cook (Jefferson)	Higginbotham	McElhaney	Williams
Crane	Hill	McLain	Wright
Culver	Holman	Meeks	Yeilding
Dill	Jackson (F)	Nettles	Young
Dobbs	Jackson (T)	Pearson	

—54

Mr. Snell moved that the bill, H. 108, be carried over to the twenty-fifth legislative day.

On motion of Mrs. Collins (C), the motion of Mr. Snell to carry over was tabled.

Yeas 54; Nays 35.

Yeas:

Messrs.:	Edington	House	Pearson
Adwell	Ellis	Jackson (F)	Pennington
Agee	Fine	Jones	Robertson
Blanton	Foshee	Kilgore	Sessions
Brannan	Gafford	Laxson	Smith
Burgess	Garrett	Lemley	Tuck
Cherner	Gloor	Lybrand	Turnham
Collins (C)	Graham	Manley	Watkins
Collins (W)	Grainger	Mays	Weeks
Cook (Coffee)	Grayson	McCorquodale	Williams
Cook (Jefferson)	Hain	McElhaney	Wood
Dill	Haygood	McLain	Yeilding
Dobbs	Higginbotham	Nettles	Young
Downing	Holman	Owens (W)	

—54

Nays:

Mr. Speaker	Crawford	Malone	Pruitt
Bassett	Culver	Marr	Shumate
Beck	Doss	McDonald	Starnes
Berryman (W)	Drake	Meade	Steagall
Bolton	Harris	Meeks	Stembridge
Bowers	Headley	Melton	Stubbs
Brassell	Hill	Merrill	Waggoner
Brown	Holladay	Owen (Baldwin)	Wright
Collier	Lyons	Perloff	

—35

The question then was on the motion of Mrs. Collins (C) to table the substitute to the bill, H. 108, offered by Mr. Marrs. And the motion lost.

Yeas 44; Nays 44.

Yeas:

Messrs.:	Edington	Holman	Pennington
Burgess	Ellis	House	Sessions
Cherner	Fine	Jones	Smith
Collier	Foshee	Kilgore	Stubbs
Collins (C)	Gafford	Laxson	Waggoner
Collins (W)	Garrett	Lemley	Watkins
Cook (Coffee)	Gloor	Lybrand	Weeks
Cook (Jefferson)	Graham	Malone	Williams
Crane	Grainger	Mays	Wood
Culver	Hain	McLain	Yeilding
Dill	Higginbotham	Pearson	Young
Dobbs			

—44

Nays:

Mr. Speaker	Doss	Lyons	Owens (W)
Agee	Downing	Manley	Perloff
Bassett	Drake	Marr	Pruitt
Beck	Grayson	McCorquodale	Robertson
Berryman (W)	Harper	McElhaney	Shumate
Bolton	Harris	Meade	Starnes
Bowers	Haygood	Meeks	Steagall
Brannan	Headley	Melton	Stembridge
Brassell	Hill	Merrill	Tuck
Brown	Holladay	Nettles	Turnham
Crawford	Jackson (F)	Owen (Baldwin)	Wright

—44

And the substitute to the bill, H. 108, offered by Mr. Marr was adopted.

Yeas 51; Nays 40.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owen (Baldwin)
Agee	Downing	Lyons	Owens (W)
Bassett	Drake	Malone	Perloff
Beck	Ellis	Manley	Pruitt
Berryman (W)	Fine	Marr	Shumate
Blanton	Foshee	McCorquodale	Starnes
Bolton	Grayson	McDonald	Steagall
Brannan	Hain	McElhaney	Stembridge
Brassell	Harris	Meade	Stubbs
Brown	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Turnham
Crawford	Hill	Merrill	Wright
Culver	Holladay	Nettles	

—51

Nays:

Messrs.:	Collier	Dill	Gloor
Adwell	Collins (C)	Dobbs	Graham
Bowers	Cook (Coffee)	Edington	Grainger
Burgess	Cook (Jefferson)	Gafford	Harper
Cherner	Crane	Garrett	Higginbotham

Holman	Mays	Sessions	Weeks
Jones	McLain	Smith	Williams
Kilgore	Pearson	Snell	Wood
Laxson	Pennington	Waggoner	Yeilding
Lemley	Robertson	Watkins	Young
Lybrand			

—40

Mrs. Collins (C) offered the following amendment to the bill, H. 108, as amended:

Change date first Tuesday in May, wherever it appear and substitute second Tuesday in January.

And the amendment was adopted.

Yeas 54; Nays 26.

Yeas:

Messrs.:	Ellis	Jones	Robertson
Beck	Foshee	Kilgore	Sessions
Brannan	Gafford	Laxson	Smith
Burgess	Garrett	Lemley	Springer
Cameron	Gloor	Lybrand	Stembridge
Cherner	Graham	Malone	Stubbs
Collier	Grainger	Mays	Watkins
Collins (C)	Grayson	McElhaney	Weeks
Collins (W)	Hain	McLain	Williams
Cook (Coffee)	Harper	Meade	Wood
Crane	Higginbotham	Owen (Baldwin)	Wright
Dill	Holman	Owens (W.E.)	Yeilding
Dobbs	House	Pearson	Young
Edington	Jackson (F)	Pennington	

—54

Nays:

Mr. Speaker	Doss	Manley	Perloff
Agee	Downing	Marr	Pruitt
Bassett	Drake	McCorquodale	Shumate
Bolton	Fine	Melton	Snell
Brassell	Haygood	Merrill	Steagall
Cook (Jefferson)	Headley	Nettles	Tuck
Crawford	Hill		

—26

And the bill, H. 108, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 17.

Yeas:

Messrs.:	Collier	Downing	Hain
Agee	Collins (C)	Edington	Harper
Bank	Collins (W)	Ellis	Higginbotham
Beck	Cook (Coffee)	Foshee	Hill
Bolton	Crane	Gafford	Hobbie
Brannan	Crawford	Garrett	Holman
Brassell	Culver	Gloor	House
Burgess	Dill	Graham	Jackson (F)
Cameron	Dobbs	Grainger	Jackson (T)
Cherner	Doss	Grayson	Jones

Kilgore	McLain	Sessions	Watkins
Laxson	Nettles	Smith	Weeks
Lemley	Owen (Baldwin)	Springer	Williams
Lybrand	Owens (W.E.)	Steagall	Wood
Malone	Pearson	Stubbs	Wright
Mays	Pennington	Tuck	Yeilding
McCorquodale	Robertson	Turnham	Young
McElhaney			

—68

Nays:

Mr. Speaker	Fine	Marr	Pruitt
Bassett	Haygood	Meade	Shumate
Bowers	Headley	Melton	Snell
Cook (Jefferson)	Manley	Perloff	Stembridge
Drake			

—17

MOTION TO ADJOURN LOST

The motion of Mr. Shumate that the House adjourn until eleven o'clock A. M., Tuesday, July 29, 1969, was lost.

Yeas 34; Nays 50.

Yeas:

Mr. Speaker	Fine	Malone	Perloff
Beck	Graham	Marr	Pruitt
Bolton	Hain	Mathews	Shumate
Brannan	Harper	Meade	Steagall
Brassell	Harris	Melton	Stembridge
Burgess	Haygood	Merrill	Tuck
Crawford	Headley	Owen (Baldwin)	Weeks
Doss	Hill	Owens (W.E.)	Wood
Drake	Holladay		

—34

Nays:

Messrs.:	Ellis	Jones	Pennington
Agee	Foshee	Laxson	Robertson
Bank	Gafford	Lemley	Sessions
Blanton	Garrett	Lyons	Smith
Bowers	Gloor	Manley	Snell
Cherner	Grainger	Mays	Springer
Collins (C)	Grayson	McCorquodale	Stubbs
Cook (Coffee)	Higginbotham	McElhaney	Turnham
Cook (Jefferson)	Hobbie	McLain	Watkins
Culver	Holman	Meeks	Wright
Dobbs	House	Nettles	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Edington	Jackson (T)	Pearson	

—50

BILLS ON THIRD READING RESUMED

And the bill:

H. 261. To amend Code of Alabama 1940, Title 27, Section 3, which relates to consent to adoption of children; amending such section in relation to the consent required in case of illegitimacy.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pennington
Agee	Edington	Jones	Perloff
Bank	Ellis	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Foshee	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mays	Starnes
Cameron	Grayson	McElhaney	Steagall
Cherner	Hain	McLain	Stembridge
Collier	Harper	Meade	Stubbs
Collins (C)	Haygood	Meeks	Tuck
Cook (Coffee)	Headley	Melton	Turnham
Cook (Jefferson)	Higginbotham	Merrill	Weeks
Crane	Hill	Nettles	Williams
Crawford	Hobbie	Owen (Baldwin)	Wood
Culver	Holladay	Owens (W)	Wright
Dill	Holman	Owens (W.E.)	Yeilding
Dobbs	Jackson (F)	Pearson	Young
Downing			

—81

And the bill:

H. 733. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nay 1.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Adwell	Drake	Lemley	Perloff
Agee	Edington	Lybrand	Pruitt
Bank	Ellis	Lyons	Robertson
Bassett	Fine	Malone	Sessions
Beck	Garrett	Manley	Shumate
Blanton	Gloor	Marr	Smith
Bolton	Graham	Mathews	Snell
Bowers	Grainger	Mays	Springer
Brannan	Grayson	McDonald	Starnes
Brassell	Hain	McElhaney	Steagall
Cameron	Harper	McLain	Stembridge
Cherner	Haygood	Meade	Stubbs
Collier	Higginbotham	Meeks	Tuck
Collins (C)	Hill	Melton	Turnham
Cook (Coffee)	Hobbie	Merrill	Waggoner
Crane	Holladay	Nettles	Weeks
Crawford	House	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wood
Dill	Jackson (T)	Owens (W.E.)	Wright
Dobbs	Jones	Pearson	Yeilding

—84

Nay: Mr. Headley.

—1

And the bill:

H. 735. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

Was taken up.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted to Mr. Lemley to be added as a co-sponsor to the bill, H. 735.

And the bill:

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Downing	Jackson (T)	Owens (W.E.)
Agee	Drake	Jones	Pearson
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Bolton	Gafford	Malone	Shumate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Starnes
Brassell	Grainger	Mathews	Steagall
Brown	Grayson	Mays	Stembridge
Burgess	Hain	McCorquodale	Stubbs
Cameron	Harper	McDonald	Tuck
Cherner	Harris	McElhaney	Turnham
Collier	Haygood	McLain	Waggoner
Collins (C)	Headley	Meade	Weeks
Cook (Coffee)	Higginbotham	Meeks	Williams
Cook (Jefferson)	Hill	Melton	Wood
Crane	Hobbie	Merrill	Wright
Crawford	Holladay	Nettles	Yeilding
Culver	Holman	Owen (Baldwin)	Young
Dill	House		

—90

RESOLUTION

The following resolution was introduced:

By Messrs. Meade, Fite, Adwell, Bank, Bassett, Blanton, Bowers, Brassell, Brown, Burgess, Cameron, Collier, Cook (Coffee), Crawford, Culver, Dobbs, Fine, Foshee, Gafford, Graham, Hain, Harper, Haygood, Headley, Hobbie, Holman, Jackson (F), Kilgore, Laxson, Lemley, Marr, Mays, Meeks, Melton, Owen (W), Owens (W.E.), Pearson, Perloff, Robertson, Shumate, Snell, Starnes, Steagall, Stembridge, Stubbs, Tuck, Watkins, Weeks, Wood and Young:

H. R. 104. WHEREAS, the news media of this state have, for the past few weeks, engaged in a campaign of false allegation and innuendo, charging the House of Representatives and its Speaker with obstructionist and dilatory tactics in regard to the passage of proposed legislation, and

WHEREAS, a thorough and impartial inspection of the records of both Houses of the Legislature of Alabama in every week of the special and regular sessions held this year will indicate that much more legislation has been initiated and passed in the House of Representatives than in the Senate, and

WHEREAS, much controversial legislation has been freely discussed in public hearings and in the chamber of the house, and proper disposition of such legislation has been speedily made by the House under the able leadership of its Speaker, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we invite the news media to make a complete and full comparison of the daily record of both houses of the Legislature, and we feel confident that such a comparison will indicate that much more progress has been made in the passage of necessary and beneficial legislation by the House of Representatives, than has been reported to the public.

On motion of Mr. Meade, the rules were suspended and H. R. 104 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 534. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Adwell	Downing	Jones	Pearson
Agee	Edington	Kilgore	Pennington
Bank	Ellis	Laxson	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Graham	Manley	Snell
Brannan	Grainger	Marr	Springer
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Steagall
Burgess	Harper	McDonald	Stembridge
Cameron	Harris	McElhaney	Stubbs
Cherner	Haygood	McLain	Tuck
Collier	Headley	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Waggoner
Collins (W)	Hill	Melton	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Crane	Holladay	Nettles	Wood
Culver	Holman	Owen (Baldwin)	Wright
Dill	House	Owens (W)	Young
Dobbs			

—89

And the bill:

H. 958. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating

to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jones	Pearson
Bank	Drake	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lybrand	Pruitt
Blanton	Fine	Malone	Sessions
Bolton	Foshee	Manley	Smith
Bowers	Gafford	Marr	Snell
Brannan	Garrett	Mays	Springer
Brassell	Graham	McCorquodale	Starnes
Brown	Grainger	McDonald	Steagall
Burgess	Grayson	McElhaney	Stembridge
Cameron	Hain	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Higginbotham	Melton	Weeks
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Hobbie	Nettles	Wood
Cook (Jefferson)	Holladay	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Young
Dobbs	House		

—82

Nay: Mr. Dill

—1

MOTION TO ADJOURN LOST

The motion of Mr. Doss that the House adjourn until eleven o'clock A. M., Tuesday, July 29, 1969, was lost.

Yeas 45; Nays 46.

Yeas:

Mr. Speaker	Dill	Kilgore	Perloff
Bank	Doss	Laxson	Pruitt
Bassett	Drake	Malone	Shumate
Beck	Fine	Marr	Starnes
Blanton	Graham	McDonald	Steagall
Bolton	Hain	Meade	Stembridge
Brannan	Harper	Melton	Tuck
Brassell	Harris	Merrill	Watkins
Burgess	Headley	Owen (Baldwin)	Weeks
Collins (W)	Hill	Owens (W.E.)	Williams
Crane	Holladay	Pearson	Wood
Crawford			

—45

Nays:

Messrs.:	Edington	Jones	Pennington
Agee	Ellis	Lemley	Robertson
Bowers	Foshee	Lybrand	Sessions
Brown	Gafford	Lyons	Smith
Cameron	Garrett	Manley	Snell
Cherner	Grainger	Mays	Springer
Collins (C)	Grayson	McCorquodale	Stubbs
Cook (Coffee)	Higginbotham	McElhaney	Turnham
Cook (Jefferson)	Hobbie	McLain	Waggoner
Culver	Holman	Meeks	Wright
Dobbs	Jackson (F)	Nettles	Young
Downing	Jackson (T)	Owens (W)	

—46

And the bill:

H. 117. To make a supplemental appropriation to the Alabama Historical Commission.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Perloff
Agee	Edington	Lemley	Pruitt
Bank	Ellis	Lybrand	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Smith
Bolton	Garrett	Marr	Snell
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Brown	Grayson	McDonald	Stembridge
Burgess	Hain	McElhaney	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Waggoner
Cook (Coffee)	Hill	Melton	Weeks
Cook (Jefferson)	Hobbie	Merrill	Williams
Crane	Holladay	Nettles	Wood
Dill	Holman	Owen (Baldwin)	Wright
Dobbs	House	Owens (W)	Yeilding
Doss	Jackson (F)	Pearson	Young
Downing	Jones	Pennington	

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And the bill:

H. 728. To amend Act No. 168 (H. 270) Special Session of 1966 relating to the Alabama Historical Commission by increasing the Commission membership from eleven to fifteen persons.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Adwell	Drake	Jones	Pennington
Agee	Edington	Laxson	Perloff
Bank	Ellis	Lemley	Pruitt
Bassett	Fine	Lybrand	Robertson
Beck	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgess	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Harper	McElhaney	Tuck
Collier	Harris	McLain	Turnham
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hill	Melton	Williams
Cook (Jefferson)	Hobbie	Merrill	Wood
Crane	Holladay	Nettles	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

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ADJOURNMENT

On motion of Mr. Downing, the House adjourned until ten o'clock A. M., Tuesday, July 29, 1969.

Yeas 43; Nays 42.

Yeas:

Mr. Speaker	Doss	Holladay	Perloff
Bank	Downing	Jackson (F)	Pruitt
Beck	Drake	Laxson	Shumate
Blanton	Fine	Lemley	Starnes
Bolton	Foshee	Malone	Steagall
Brannan	Graham	Marr	Stembridge
Brassell	Hain	McDonald	Weeks
Burgess	Harper	Meade	Williams
Collins (W)	Harris	Melton	Wood
Crane	Headley	Owen (Baldwin)	Young
Dill	Hill	Pearson	

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Nays:

Messrs.:	Gafford	Manley	Robertson
Agee	Garrett	Mathews	Sessions
Bowers	Grainger	Mays	Smith
Brown	Grayson	McCorquodale	Springer
Cameron	Higginbotham	McElhaney	Stubbs
Cherner	Hobbie	McLain	Tuck
Collins (C)	Holman	Meeks	Turnham
Cook (Coffee)	House	Merrill	Waggoner
Cook (Jefferson)	Jones	Nettles	Wright
Edington	Lybrand	Owens (W)	Yeilding
Ellis	Lyons	Pennington	

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TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 29, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Gary Wright, Associate Pastor, First United Methodist Church of Montgomery, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Doss	Jackson (T)	Pearson
Adwell	Downing	Jones	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Beck	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bolton	Garrett	Marr	Smith
Bowers	Gloor	Mathews	Snell
Brannan	Graham	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill	House	Owens (W.E.)	Young
Dobbs	Jackson (F)	Paulk	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

Yeas 46; Nays 5.

Yeas:

Mr. Speaker	Ellis	Jones	Perloff
Bank	Fine	Lemley	Pruitt
Bassett	Foshee	Lybrand	Robertson
Beck	Garrett	McDonald	Smith
Berryman (W)	Graham	McElhaney	Snell
Brannan	Grayson	McLain	Springer
Brassell	Hain	Merrill	Starnes
Brown	Harper	Neville	Steagall
Collins (C)	Headley	Owen (Baldwin)	Weeks
Culver	Higginbotham	Owens (W.E.)	Williams
Downing	Hobbie	Pearson	Young
Drake	Jackson (F)		

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Nays:

Messrs.:	Laxson	Nettles	Wood
Blanton	Melton		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Also:

H. 459. Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Also:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Also:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama

1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislature of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

Also:

H. 279. To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 105. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-fifth Legislative Day, taking precedence over any other business in the House on this day:

Reports of Standing Committees

Introduction of Bills

Uncontested Local Bills

SB 426, Page 114

HB 18, Page 3

HB 811, Page 62

HB 369, Page 69

HB 166, Page 33

HB 21, Page 15

HB 841, Page 87

HB 842, Page 88

HB 375, Page	12
HB 798, Page	83
HB 418, Page	41
HB 961, Page	107
HB 260, Page	38
HB 57, Page	3
HB 59, Page	4
HB 142, Page	12
HB 89, Page	11
HB 515, Page	51
HB 516, Page	51
HB 517, Page	76
HB 318, Page	81
HB 649, Page	89
HB 351, Page	46
HB 422, Page	34
HB 424, Page	34
HB 588, Page	26
HB 201, Page	25
HB 749, Page	60
HB 734, Page	58
HB 74, Page	1
HB 377, Page	60
HB 293, Page	10
HB 339, Page	10
SB 340, Page	93
HB 1041, Page	95
HB 8, Page	50
HB 194, Page	98
HB 478, Page	29
HB 490, Page	28
HB 492, Page	28
HB 493, Page	28
HB 334, Page	31
HB 336, Page	31
HB 402, Page	61

HB 116, Page 86
HB 816, Page 87
HB 902, Page 88
HB 690, Page 90
HB 1019, Page 97
HB 1086, Page 102
HB 1087, Page 102
HB 996, Page 106
HB 948, Page 132
HB 1072, Page 113
HB 850, Page 101
HB 666, Page 59
HB 636, Page 64
HB 637, Page 61
HB 638, Page 62
HB 764, Page 53
HB 270, Page 29
HB 106, Page 45
HB 995, Page 91
HB 1005, Page 94
HB 1002, Page 95

On motion of Mr. Merrill, the H. R. 105 was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the follow-

ing bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1220. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Labor and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded: prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 239 (with substitute). To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts 1953, p. 240).

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 631. To Amend Section 207 and Section 207(1) of Milk Control Board Act, Title 22, Code of Alabama 1940 AS AMENDED by Act No. 497 of the Regular Session, 1961 and Act No. 466 of the Regular Session, 1965.

H. 805. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

H. 806. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting Associations and Cooperative Corporations from payment of license fees as milk producers.

H. 807. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to Cooperative Corporations.

H. 957. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

H. 1063. To authorize the Commission of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

H. 1112. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

H. 1119. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1145 (with amendment). To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any sectional provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1235. To validate moral obligations, not exceeding one hundred and sixty dollars (\$160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 927. To regulate further the preparation and publication of the list of qualified electors in Lauderdale County in even numbered years; providing for the posting of such lists in lieu of their publication in a newspaper; relieving the judge of probate of the duty of publishing such list; and authorizing him, in his discretion, to publish a brief notice relative to such lists.

H. 1066. Relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

H. 1071. Authorizing the county governing body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and that the substance of said bill is as follows.

H. 1106. Relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day.

H. 1108. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this act shall become effective.

H. 1109. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

H. 1110. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the most recent federal decennial census; to regulate the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures and other property of such buildings; to repeal conflicting laws.

H. 1111. Relating to counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to authorize the governing body in such counties to provide additional deputies for the sheriff; to repeal conflicting laws.

H. 1120. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

H. 1121. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

H. 1122. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

H. 1123. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

H. 1124. To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

H. 1140. To apply only in counties having populations of not less than 61,000 nor more than 65,000, reducing the additional compensation for official court reporters of the circuit court in such counties, which is payable from the county treasury, contingent upon the increase of the compensation payable to such court reporter from the State.

H. 1141. To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

H. 1183. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

H. 1189. To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation.

H. 1190. To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

H. 1191. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

H. 1192. To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

H. 1193. Proposing an amendment to the Constitution of Alabama relative to Bibb County, authorizing the legislature to fix, regulate, and alter the costs, charges of courts, fees, commissions, allowances, or compensation to be charged or received by the sheriff of Bibb County.

The above bill was read a second time at length as required by the Constitution.

H. 1194. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailers, and to provide for the payment of expenses.

H. 1195. Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

H. 1196. To amend Act No. 258, H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

H. 1197. Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

H. 1198. Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

H. 1200. Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts, 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees, so as to provide further for the disposition and use of such fees.

H. 1201. Relating to Autauga County; regulating further the compensation of the jury commission and the clerk thereof.

H. 1203. To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

H. 1207. Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

H. 1208. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

H. 1212. To amend Section 2 of Act No. 47, H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

H. 1213. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

H. 1214. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

H. 1215. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

H. 1216. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

H. 1217. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

H. 1221. Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decen-

nial census; to provide an additional expense allowance for the members of the county board of education in such counties.

H. 1223. Proposing an amendment to the Constituion of Alabama relating to Marengo County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

H. 1224. To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

H. 1225. To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

H. 1226. To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other terirtory contiguous thereto, in Cullman County, Alabama.

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1133. To provide for any counties having a population of 600,000 or more according to the 1940 federal census or any succeeding decennial federal census which have adopted or subsequently adopt Zoning Regulations, Land Subdivision Regulations and Building Codes to have exclusive jurisdiction over matters relating to such Zoning, Land Subdivision, and Building Code in all areas of the County lying outside of the corporate limits of any municipality in such County, and to withdraw from such municipalities all right, power and authority relating to such land outside its corporate limits as to all matters relating to Zoning, Land Subdivision and Building Codes; to define Zoning Regulations, Land Subdivision Regulations and Building Codes.

H. 1134. To amend the title and to further amend Section 1 of Act No. 344, H. 775 of the Regular Session of 1947 (General Acts 1947, p. 217), which was an act to empower any counties having a population of 400,000 or more according to the 1940 or any succeeding federal census to provide for, regulate, and restrict in the unincorporated portions of the county outside of the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry and residence, so as to authorize such counties to zone the unincorporated portions of the county lying within the police jurisdiction of the incorporated municipalities of the county and to take away from such incorporated municipalities zoning jurisdiction in that area outside of their corporate limits but within their police jurisdictions.

H. 1135. To amend subparagraph (b) of Section 4 of Act No. 672 H. 923 of the regular session of 1967 (General Acts 1967, Page 1496), which was an Act to authorize any county having a population of 500,000 or more, according to the last or any subsequent federal census to adopt a building code or ordinance designed to prevent fire and to protect the people of the county from the loss of property and the loss of life consequent to fires, which building code or ordinances shall apply only in the unincorporated area of the county; so as to authorize the adoption of such code or ordinance without regard to whether a majority of the qualified electors residing in the area wherein the code shall apply are in favor of the adoption of the code and without regard as to whether the adoption of the proposed code would result in substantial savings in respect to fire insurance rates.

H. 1136. To amend Section 22 of Act No. 248, General Laws of Alabama, approved July 6, 1945, entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof.", as heretofore amended.

H. 1137. To further amend Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) Entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

H. 1138. To authorize counties with a population of 400,000 or more according to the last or any succeeding Federal Census to levy the license taxes on the privilege of issuing or using trading stamps in such counties not in excess of those which Act No. 110 (H. 182), approved February 14, 1956 (Acts of Ala., 1956 Special Sessions, p. 166) levies for such counties on such privilege, to provide when such act shall become effective, to repeal said Act No. 110 (H. 182) and provide when such repeal shall become effective.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1088. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Huntsville in Madison County.

The above bill was read a second time at length as required by the Constitution.

H. 1157. Proposing an amendment to the Constitution relating to the levying of a special school tax in School District No. 1, Madison County, Alabama, which comprises all of Madison County, Alabama except for the City of Huntsville, Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1188 (with substitute). To make an appropriation from the state treasury for the construction, equipment and maintenance of an office building for the Department of Public Safety District No. 7 and for the rebuilding or remodeling of certain substations in said district.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under

the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed \$5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen and fire fighters employed by any city in such counties; to repeal conflicting laws.

H. 1174. To amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, to provide funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a county health department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

H. 1175. To amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as to provide funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Burgess:

H. 1238. To provide that all contracts of insurance or policies of insurance issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Business and Labor.

By Mr. Blanton:

H. 1239. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Meade and Beck:

H. 1240. Relating to counties having populations of not less than 16,150 nor more than 17,250, according to the most recent federal decennial census; to fix the compensation of the members of the county board of education in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Grainger, Pennington, McLain, Jones and Laxson:

H. 1241. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Local Legislation No. 4.

By Messrs. Laxson, Jones, McLain, Pennington and Grainger:

H. 1242. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Local Legislation No. 4.

By Messrs. Jones, Laxson, Grainger, Pennington and McLain:

H. 1243. Relating to counties having a population of not less than 110,000 nor more than 160,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Local Legislation No. 4.

By Messrs. Perloff, Marr, Wood, Collins (W) and Melton:

H. 1244. To amend Code of Alabama 1940, Title 14, Section 389, which provides for the location of offices and laboratories of the state toxicologists, so as to require one of such offices and laboratories to be maintained in Mobile County.

State Administration.

By Mr. Garrett:

H. 1245. To further amend Section 54 of Title 45, Code of Alabama 1940, as amended, by providing that a state convict upon being discharged may choose to receive suitable clothing or cash equivalent to same; to delete therefrom any provisions about county convicts; to repeal all laws in conflict.

Ways and Means.

By Mr. Springer:

H. 1246. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

Judiciary.

By Messrs. Slate, Drake, Starnes and Bolton:

H. 1247. Relating to civil remedies and procedure: To abrogate the common law rule that contributory negligence is a complete defense for the negligent act or omission of the defendant, and substitute therefor the comparative negligence rule.

Agriculture.

By Messrs. Slate, Drake, Starnes and Bolton:

H. 1248. Relating to limitations of action for personal injury; amending Sections 24 and 26 of Title 7, Code of Alabama 1940, so as to increase the time in which such actions must be commenced.

Agriculture.

By Messrs. Slate, Drake, Starnes and Bolton:

H. 1249. To amend Sections 25 and 123 of Title 7, Code of Alabama 1940 and Section 3 of Act No. 554, S. 501, Regular Session 1957 (Acts 1957, p. 765) all of which relate to actions for wrongful act, omission or negligence causing death, so as to provide that the damages therefor shall be actual or compensatory; to provide further for the time in which such actions shall be brought.

Agriculture.

By Messrs. Culver, Brown and Robertson:

H. 1250. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

Ways and Means.

By Mr. Merrill:

H. 1251. To establish the Alabama Program Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Program Development and the employees of the Alabama Program Development Office; to define the powers and duties of the Alabama Program Development Office; to transfer to the Alabama Program Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

Judiciary.

By Mr. Wood:

H. 1252. To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Judiciary.

By Mr. Berryman (W):

H. 1253. Relating to counties having a population of not less than 21,900 nor more than 22,300, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Local Legislation No. 1.

By Mr. Neville (with notice and proof):

H. 1254. To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

Local Legislation No. 1.

Notice and Proof H. 1254:

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be the duty of the governing body of Barbour County to provide at the expense of said county an office at Eufaula, Alabama, for the probate judge of said county, and to provide therefor the necessary stationery, record books, dockets and other equipment for such office similar to those now kept in the office of the said probate judge at Clayton in said county.

Section 2. Said office at Eufaula shall be kept open by the probate judge, and the books, dockets, records and papers pertaining thereto shall be kept in said office. The judge of probate shall keep a clerk, in his absence, in charge of said office and the books, records, and papers therein. The clerk shall have power and authority, for and in the name of such judge of probate, to perform all ministerial acts in connection with the office and business thereof and the said judge of probate shall be liable on his official bond for the acts of the clerk. The judge of probate may require such clerk to execute a bond, with surety or sureties, in the same sum and payable and conditioned as required by law for the official bonds of judges of probate in this state, which bond shall be kept in the office of the county treasurer for Barbour County. Any person injured by any wrongful act of omission of such clerk may in his own name, sue on said bond, or on the judge of probate's bond; and if such suit should be brought on the bond of the judge of probate, the bond of such clerk shall be deemed and held as bond of indemnity for the judge of probate so proceeded against.

Section 3. For the purposes of this Act, Barbour County shall be composed of two divisions, separated by a line beginning on the South Boundary of said county at a point three miles West of the range line

between Range 27 and Range 28, from thence running North in a straight line three miles West of and parallel to said range line to the intersection of said parallel line with the township line between Township 11 and Township 12, thence West along said township line to the intersection of said township line with the range line between Range 26 and Range 27, thence North along said range line three miles to the corner where Sections 13 and 24, Township 12, Range 26, and Sections 18 and 19, Township 12, Range 27 meet in a point; thence West along the Section lines three miles to the Southeast corner of Bullock County. The portion of said county lying North and East of said lines shall be known as the Eufaula Division, and the portion of said county lying South and West of said line shall be known as the Clayton Division.

Section 4. The judge of probate shall hold probate court at Eufaula for the Eufaula Division and at Clayton for the Clayton Division. All jurisdiction and powers of said probate court, and the judge of probate, shall be exercised in each division, and in each division shall be exclusive of their jurisdiction and powers exercised in the other division.

Section 5. The jurisdiction, powers and duties of the probate court, and the judge of probate, shall be in all respect the same in both divisions of the court. All powers and duties imposed by law upon the governing body of Barbour County and upon sheriffs and other officers of Barbour County in respect of the probate courts and probate offices in this state, shall apply to the governing body, sheriff and other offices of Barbour County in respect to each division of the probate court and probate office. Mileage allowed to the sheriff shall be computed from the Courthouse from which process is issued.

Section 6. In all cases and proceedings affecting lands in Barbour County lying partly within the Eufaula Division and partly within the Clayton Division, the proceedings may be had in said court in either division; and by written consent of the parties filed in said court, causes or proceedings may be transferred from one division of the court to the other; and juries shall be chosen from the division in which the court is held.

Section 7. In all respects in which the commencement or adjournment of the probate courts of this state affect the time prescribed by law for the issue or return of process, signing of bills of exceptions, the running of any statute of limitations, or where a time has by law any relation to such courts, or the commencement or the adjournment of their terms, such law shall apply separately to each division of the probate court; and whenever the law requires a sale to be made or any other act to be done at the courthouse, such sale or act shall be had or done at the courthouse within the respective division.

Section 8. The judge of probate shall record all orders, instruments, claims, and other proceedings pertaining to the probate court in one general series of books in the Eufaula Division and one general series of books in the Clayton Division, called "Probate Court Record." The series shall be numbered consecutively beginning with number 1, except that the number of the books in the Clayton Division shall be preceded by the letter "C" and the number on the books in the Eufaula Division shall be preceded by the letter "E."

Section 9. The judge of probate shall keep a direct index to the probate court records, which must contain the names of all persons named in the papers recorded in said records, with a reference to the reason each person was named. The direct index shall embrace, at least the following features, and should be so ruled: Name of Person; Status of Person; Name of Estate, Proceeding or Case; Probate Court Record Number; Page Number; Steel File Number.

Section 10. For the additional duties required of the probate judge in indexing, he shall be entitled to an additional fee of \$.25 for each name indexed.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. This Act shall become effective January 1, 1970.

STATE OF ALABAMA,
BARBOUR COUNTY.

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

Joel P. Smith.

Sworn to and subscribed before me this the 22nd day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula, and to prescribe the method of computing Sheriff's mileage.

Local Legislation No. 1.

Notice and Proof H. 1255:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula, and to prescribe the method of computing Sheriff's mileage.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 6, 7, 8, 10 and 11 of Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106) entitled, "An Act To Regulate the holding of the circuit courts of Barbour County," are hereby amended to read as follows:

"Section 6. BE IT FURTHER ENACTED, That whenever, from any cause, a civil or criminal cause pending in said court at Clayton shall not be tried at Clayton during the first week of any term, the presiding judge may, at his discretion, set over said cause to be tried at Eufaula during the remainder of said term, whereupon the same shall be tried on the original papers, dockets and records, the same as if tried where the process was returnable, except that in no criminal case where the defendant, and in no civil case where the plaintiff or defendant shall reside in said county west of a line hereinafter described, the trial shall be held in Eufaula, without the consent of such defendants in criminal case, and such plaintiff and defendant in civil case, or their attorneys of record, made in writing or announced in open court. The line hereinabove referred to is described as follows: beginning on the south boundary of said county at a point three miles west of the range line between range 27 and range 28, from thence running north in a straight line three miles west of and parallel with said range line to the intersection of said parallel line with the township line between township 11 and township 12, thence west along said township line to the intersection of said township line with the range line between range 26 and 27, thence north along said range line 3 miles to corner where sections 13 and 24, township 12, range 26, and sections 18 and 19, township 12, range 27 meet in a point; thence west along section lines 3 miles to southeast corner Bullock County.

"Section 7. BE IT FURTHER ENACTED, That whenever a criminal or civil case shall be pending in the court to be held at Eufaula, if the defendant shall reside west of said line described in Section 6, hereof, it shall be the duty of the said judge of the said court, on the application of such defendant or his attorney, in writing, or in open court, to transfer said cause to the court held in Clayton, to be there tried on the original papers the same as if the process had been originally returnable to Clayton.

"Section 8. BE IT FURTHER ENACTED, That whenever a civil or criminal cause shall be pending in the circuit court to be held at Clayton, if the defendant shall reside east of said line described in Section 6, hereof, it shall be the duty of the judge of said court, on the application of such defendant or his attorney, in writing, or in open court, to transfer said cause to the court held in Eufaula, to be there tried on the original papers the same as if the process had been originally returnable to Eufaula.

"Section 10. BE IT FURTHER ENACTED, That in all cases of appeal, where the defendant resides west of said line described in Section 6, hereof, the appeal shall be taken to be heard at Clayton, and in all cases where such defendant resides east of said line, the appeal shall be taken to be heard at Eufaula. And in all preliminary examinations before committing magistrate, defendants may be required to give bond, to appear and answer any criminal charge in said court, either at Eufaula or at Clayton, according to the discretion of such magistrate.

"Section 11. BE IT FURTHER ENACTED, That any person indicted or bound over to answer any criminal offence in said county, if unable to give bond for his appearance at court shall be confined in the jail at Clayton, if he be a resident of said county living west of said line described in Section 6 hereof, and if such person reside east of said line he shall be confined in the jail at Eufaula, except that such persons may be confined in the jail at either place, when in the opinion of the judge of said court the jail in the other place is not secure.

"Section 14. BE IT FURTHER ENACTED, That mileage allowed to the sheriff shall be computed from the Courthouse at Eufaula or the Courthouse at Clayton, whichever is nearer.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
BARBOUR COUNTY.

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 22nd day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1256. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court; to authorize the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

Local Legislation No. 1.

Notice and Proof H. 1256:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court; to authorize the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

Be It Enacted by the Legislature of Alabama:

Section 1. A court of limited jurisdiction in criminal cases and civil actions at law, which shall be known as the Eastern District Court of Barbour County, is hereby created and established for the eastern division of Barbour County, which said eastern division is that portion of Barbour County situated north and east of a line beginning on the

south boundary of said county at a point three miles west of the range line between range 27 and range 28, from thence running north in a straight line three miles west of and parallel with said range line to the intersection of said parallel line with the township line between township 11 and township 12, thence west along said township line to the intersection of said township line with range line between range 26 and 27, thence north along said range line 3 miles to corner where sections 13 and 24, township 12, range 26, and sections 18 and 19, township 12, range 27 meet in a point; thence west along section lines 3 miles to southeast corner of Bullock County.

Section 2. The territorial jurisdiction of the court shall not extend over that portion of Barbour County known and designated as the western division of said county except in criminal cases the boundary between the eastern division and the western division shall be construed as a county line.

Section 3. Cases and actions pending in the Court of Common Pleas of Barbour County on the effective date of this act, together with all documents, papers, judgments, and orders of said court may be transferred to the court hereby created and shall proceed as though begun therein. All judgments rendered by the Court of Common Pleas of Barbour County may be enforceable by this court the same as if they had been rendered by this court and this court may have full power and control over the same and may issue executions and other process thereon the same as if the judgments and orders had been originally rendered in this court.

Section 4. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases and actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the state, and law-made rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of ejectment or actions in the nature of ejectment or any civil actions when the matter or sum in controversy exceeds five hundred dollars, nor take cognizance of any matter or proceeding in equity. The court shall not have jurisdiction of workmen's compensation cases, libel, slander, or juvenile or domestic relations cases. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, the amount in controversy shall, for the purpose of determining jurisdiction, be the balance of the mortgage debt or purchase price, as the case may be, or the value of the property in suit whichever may be less; and where the action is for forcible entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgments debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in circuit courts. The court shall also have such other powers and authority that are, or may hereafter be, conferred upon the circuit courts, except as otherwise provided in this act.

Section 5. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury. In the trial of cases before this court, the accused shall have no right to demand a trial by jury, but the judge shall have termine

both the law and the facts, without the intervention of a jury, and shall award such punishment in misdemeanor cases as the character of the offense may demand, and render such judgments in other cases as in his judgment may seem right and proper, and in the trial of misdemeanor cases no statement of the offense need be made other than that contained in the affidavit and warrant of arrest.

Section 6. (a) A judge of the court herein established shall be elected by the qualified electors of the eastern division of Barbour County at the general election of 1974, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this act, the Governor shall commission Hon. M. D. L. Calton as judge of the Eastern District Court of Barbour County and the said M. D. L. Calton shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the constitution. He may be removed from office for any cause enumerated in Section 173 of the constitution and in the manner provided by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Barbour County residing within the territorial jurisdiction of the court. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary in the amount of \$4,800 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have the authority to: (1) administer oaths and take acknowledgements; (2) issue search warrants; (3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace, including that of magistrates on preliminary examinations. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(f) Upon the conviction of any defendant in misdemeanor cases in said court, the court shall have the right to suspend the sentence and remit fines and/or costs whenever in the discretion of said court the same may be advisable.

(g) In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilty and assess against such defendant such fines and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

(h) The judge shall keep an office in the county courthouse in Clayton or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such telephones, office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

section 7. In the absence of, disqualification or inability of the judge of said court to act, he shall appoint in writing a special judge, who shall have full power to act for and in the place of the regular judge, said person so appointed shall at the time of his appointment be a practicing

attorney residing in the jurisdiction of said court. In case the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, and shall not have appointed a special judge to act, it shall be the duty of the judge of the Third Judicial Circuit upon the request of the clerk of said court to appoint a special judge, and in either event, said special judge shall receive the same compensation as the regular judge of said court during the time he serves. If, however, illness, disqualification or inability to serve by the regular judge shall exceed thirty days in each calendar year, the compensation of the special judge for all time served by him in excess of thirty days shall be deducted from the salary or compensation of the regular judge of said court. If during the tenure of a judge of said court he does not use thirty days during a calendar year, the balance of the thirty days may accumulate to a total of ninety days.

Section 8. (a) The Eastern District Court of Barbour County shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse in Eufaula. Regular sessions for the trial of criminal cases and civil cases shall be held on the first and third Mondays of each month. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

Section 9. (a) The circuit clerk of Barbour County shall be the ex-officio clerk of this district court. In addition to his regular fees, commissions or compensation, he shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter, be allowed to circuit clerks in the State of Alabama, subject to the limitations of Section 16(b) hereof. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Before entering upon the performance of his duties as clerk of this court, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to kepe all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority to: (1) administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits summonses, subpoenas, writs, executions, commitments and releases making same returnable to the court hereby established; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of courts.

Section 10. (a) Except as other wise provided in this act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence the taking of depositions the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been

executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

(c) When venue is improper, cases may be transferred between the Eastern District Court of Barbour County and the Western District Court of Barbour County on proper motion of any party, made any time before trial has commenced.

(d) Interrogatories to advise parties, as provided for by Article 8, chapter 10, title 7, Code of Alabama 1940 may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(e) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process of garnishment and the process shall so recite.

(f) The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama 1940 may be had in this court as in circuit courts.

Section 11. Execution may be issued on the judgment of this court and the revivor thereof had and actions thereon maintained in the same manner and for the same length of time and in accordance with the same procedure as is or may be provided by law with respect to judgments of the circuit court, provided that the scire facias to revive any judgment in said court need not be served for any greater length of time than is provided herein with respect to service of the summons, and provided further that an execution from said court need not have thereon an itemized statement of the bill of costs. The judgment of this court shall be subject to registration in the same manner and in accordance with the same procedure as is or may be provided by law for the registration of judgments of the circuit court, and the liens thereof shall attach and execution be issued thereon in the same manner and to the same extent and for the same length of time as is or may be provided by law with respect to circuit court judgments.

Section 12. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge, the ex-officio judge, or the clerk of the court, or the deputy clerk of the court, or the district attorney or the county solicitor who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama 1940, Title 13, Section 327. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) In case of emergency the judge of said court may appoint suitable persons to act as constabell without bond, except as hereinafter provided; and the persons so appointed must perform the same duties and are liable to the same pains and penalties, and are entitled to the same fee and compensation as regular constables; but such special constables are not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collection of executions, attachments or writs of detinue, he execute a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law, with sureties to be approved by the judge appointing such special constables.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a circuit court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 13. The constables of the territorial jurisdiction of said court and the sheriff of Barbour County shall be the officers of said court and shall execute the processes from said court anywhere within Barbour County and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to process issuing from the courts of justices of the peace and inferior courts created in lieu of justices of the peace in said county. All writs of restitution or eviction shall be served by the sheriff.

Section 14. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 15. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this state may punish for contempt, by fine not exceeding fifty dollars (\$50.00) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 16. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses the court shall have authority to tax costs and commissions for the use of the officers of the court as follows: (1) in each civil action at law the same as the circuit court; (2) in each criminal case the same as in the county courts, including fees as provided by Section 89, paragraph 2, Title 11 of the Code of Alabama 1940.

(c) A trial tax of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00): in every other civil action at law, and in every criminal case, a trial tax of two dollars (\$2.00) shall be collected. These trial taxes shall be paid into the county treasury to the credit of the Judiciary Fund.

(d) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Barbour County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Barbour County, Alabama.

Section 17. The judge of this court shall make any and all necessary rules for the conduct of the court and the officers thereof, for the

filing and trying of cases, for the distribution and service of the processes of the court and generally with respect to the duties of the various officers of the court and generally with respect to the duties of the various officers of the court in their relation to the court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing the rules of the court.

Section 18. The said court shall have the power to set aside, vacate or modify its judgments upon motion made in writing within five days after the rendition of same, which said motion must be promptly determined.

Section 19. Any party desiring to appeal shall give bond with sureties to be approved by the clerk conditioned to pay all costs which may be taxed against him in the circuit court. If the judgment appealed from is for the payment of money or for recovering of personal property and the party appealing desires to have the judgment superseded he shall give bond with sureties to be approved by the clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the judge may prescribe conditioned to pay and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case in the circuit court. All such bonds shall be filed with and approved by the clerk within five days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 20. Appeals from judgments of said court to the circuit court in cases of forcible entry and unlawful detainer shall be taken within the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from justice of the peace courts.

Section 21. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided: (1) If the case is a civil case, the appeal or certiorari lies to the circuit court of Barbour County and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code of Alabama 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars (\$100.00) the issues shall be made up as provided by Code, 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. (2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the Code of Alabama 1940, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code of Alabama 1940, Title 13, Section 326.

Section 22. It shall be the duty of the clerk to issue an execution in all judgments rendered in said court after five days from the entry thereof and place the same in the hands of the sheriff or other officer of the court who shall return such execution within sixty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom the process issued out of which said execution can be satisfied in whole or in part.

Section 23. If it shall appear to the clerk that in any case where an execution has been returned unsatisfied as to the costs of said cause and in the opinion of the clerk said costs can be collected by an alias execution, the clerk may issue such alias execution and may direct the

sheriff or constable as to what property can be levied upon to satisfy said judgment, and the clerk may issue in such cases such other and further execution as he may deem necessary to enforce payment of costs against any party liable to execution for costs whether plaintiff or defendant.

Section 24. When in any case execution against the defendant is returned "No property found" execution may issue against the plaintiff, in the name of the clerk, for all costs created by him in obtaining his judgment and attempting to collect the same.

Section 25. The judge of said court is hereby authorized and empowered to perform marriage ceremonies and collect and retain as a part of the prerequisites of his office the fees which are now or may be allowed by law.

Section 26. In addition to the power and jurisdiction herein conferred upon said court it shall have and is hereby given the authority and jurisdiction to sentence to perform hard labor for the County of Barbour for the payment of fine and costs in the same manner and to the same extent as the circuit courts of this state have authority and jurisdiction to do.

Section 27. The judge of this court may designate in writing by general order, which shall continue until revoked by a general order of said judge, the clerk, deputy clerks or bailiff as ex-officio judge of said court, and the said ex-officio judge so designated shall have the power and authority to issue legal process from said court, to take affidavits and to issue warrants of arrest returnable to said court or any other court having jurisdiction of the offense in said county, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant issued by him and to keep a record of all processes, warrants and other matters handled by him as ex-officio judge. The said ex-officio judge shall have the power and authority to issue commitments to releases from jail, and to take an approve appearance bonds in all cases triable by said court. The said ex-officio judge shall not have the right or authority to try cases.

Section 28. If the defendant fails to appear as required by his bond said court shall enter a forfeiture against him and his sureties, and said court shall have the authority to issue and shall cause to issue scire facias to the bondsmen which shall be returnable in not less than twenty days from the issuance date and upon final hearing said court shall have the authority to pass upon the forfeiture and to make same final, or to take such other action as the circuit court of said county may be authorized to take in case of appearance bonds in said circuit court. Said judge shall issue an alias warrant for the arrest of the defendant.

Section 29. The judge of said court has the power and authority to require the sheriff of this county, or one of his deputies to attend upon the sessions of said court; and shall have all the power and authority inherent in the judge of a court of law and conferred by general statutes of the state in reference to bonds, commitments and recognizances.

Section 30. If the defendant fails to appear as required by his bond and a forfeiture is taken, said forfeiture shall conform as near as practicable to the form of circuit court of this state.

Section 31. If it appears to the court that any prosecution in said court is frivolous or malicious the court shall after hearing the facts

render summary judgment and tax the prosecutor or person who made the complaint or affidavit with the costs. When the costs are imposed on the prosecutor or person who made the complaint or affidavit he may confess judgment for the same with good and sufficient sureties, and failing to do so or presently to pay the same, such person must be imprisoned in the county jail or sentenced to hard labor for Barbour County for the payment of same for such a term as may be required to pay the same not to exceed ten days.

Section 32. The mileage allowable to the sheriff or constable for process issued from this court shall be calculated from the courthouse at Eufaula.

Section 33. Wherever the territorial jurisdiction of this court covers part but not all of a precinct, the board of registrars and probate judge of Barbour County shall maintain and keep their records in such manner as accurately to reflect the electors residing within the territorial jurisdiction of the court.

Section 34. All books, papers, and records of this court shall be kept in the county courthouse at Eufaula, Alabama, and the governing body of Barbour County shall provide suitable storage space for the same.

Section 35. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 36. All laws or parts of laws which conflict with this act are repealed.

Section 37. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 22nd day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1257. To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

Notice and Proof H. 1257:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act. No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of Common Pleas of Barbour County, created by Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738) is abolished.

Section 2. Every case and every cause pending in the Court of Common Pleas of Barbour County, together with the records, documents, and papers pertaining thereto, shall be transferred to the courts which have jurisdiction under the general laws of Alabama or under local laws applicable to Barbour County of the subject matter involved in the case or cause. The circuit clerk of Barbour County, in his capacity as clerk of the Court of Common Pleas of Barbour County, immediately after this act takes effect, shall certify each case or cause, together with the records, documents, and papers pertaining thereto, to the proper court. It shall not be necessary, however, for the clerk to certify cases or causes transferred to the circuit court or any other court of which he is ex-officio clerk.

Section 3. Each such case or cause shall be docketed and proceed in the court to which it is transferred; and all costs accrued in the Court of Common Pleas shall be charged and collected in the court to which the case or cause is transferred.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 24th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1258. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of

such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Local Legislation No. 1.

Notice and Proof H. 1258:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Be It Enacted by the Legislature of Alabama:

Section 1. A court of limited jurisdiction in criminal cases and civil actions at law, which shall be known as the Western District Court of Barbour County, is hereby created and established for the Western division of Barbour County, which said Western division is that portion of Barbour County situated south and west of a line beginning on the south boundary of said county at a point three miles west of the range line between range 27 and range 28, from thence running north in a straight line three miles west of and parallel with said range line to the intersection of said parallel line with the township line between township 11 and township 12, thence west along said township line to the intersection of said township line with range line between range 26 and 27, thence north along said range line 3 miles to corner where sections 13 and 24, township 12, range 26, and sections 18 and 19, township 12, range 27 meet in a point; thence west along section lines 3 miles to southeast corner of Bullock County.

Section 2. The territorial jurisdiction of the court shall not extend over that portion of Barbour County known and designated as the eastern division of said county except in criminal cases the boundary between the eastern division and the western division shall be construed as a county line.

Section 3. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases and actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to

the constitution and statutes of the state, and law-made rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the state, and lawmade rules and regulations are not contrary to the constitution and statutes of the state, and lawmade rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies, It shall not have jurisdiction of civil actions of ejectment or actions in the nature of ejectment or any civil actions when the matter or sum in controversy exceeds five hundred dollars, nor take cognizance of any matter or proceeding in equity. The court shall not have jurisdiction of workmen's compensation cases, libel, slander, or juvenile or domestic relations cases. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, the amount in controversy shall for the purpose of determining jurisdiction, be the balance of the mortgage debt or purchase price, as the case may be, or the value of the property in suit whichever may be less; and where the action is for forcible entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in circuit courts. The court shall also have such other powers and authority that are, or may hereafter be, conferred upon the circuit courts, except as otherwise provided in this act.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury. In the trial of cases before this court, the accused shall have no right to demand a trial by jury, but the judge shall have termine both the law and the facts, without the intervention of a jury, and shall award such punishment in misdemeanor cases as the character of the offense may demand, and render such judgments in other cases as in his judgment may seem right and proper, and in the trial of misdemeanor cases no statement of the offense need be made other than that contained in the affidavit and warrant of arrest.

Section 5. (a) A judge of the court herein established shall be elected by the qualified electors of the western division of Barbour County at the general election of 1974, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The Governor shall appoint a judge of the Western District Court of Barbour County who shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the constitution. He may be removed from office for any cause enumerated in Section 173 of the constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of the western

division of Barbour County. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary in the amount of \$4,800 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have the authority to: (1) administer oaths and take acknowledgements; (2) issue search warrants; (3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace, including that of magistrates on preliminary examinations. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(f) Upon the conviction of any defendant in misdemeanor cases in said court, the court shall have the right to suspend the sentence and remit fines and/or costs whenever in the discretion of said court the same may be advisable.

(g) In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilty and assess against such defendant such fines and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

(h) The judge shall keep an office in the county courthouse in Clayton or such other place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such telephones, office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

Section 6. In the absence of, disqualification or inability of the judge of said court to act, he shall appoint in writing a special judge, who shall have full power to act for and in the place of the regular judge, said person so appointed shall at the time of his appointment be a practicing attorney residing in the jurisdiction of said court. In case the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court, and shall not have appointed a special judge to act, it shall be the duty of the judge of the Third Judicial Circuit upon the request of the clerk of said court to appoint a special judge, and in either event, said special judge shall receive the same compensation as the regular judge of said court during the time he serves. If, however, illness, disqualification or inability to serve by the regular judge shall exceed thirty days in each calendar year, the compensation of the special judge for all time served by him in excess of thirty days shall be deducted from the salary or compensation of the regular judge of said court. If during the tenure of a judge of said court he does not use thirty days during a calendar year, the balance of the thirty days may accumulate to a total of ninety days.

Section 7. (a) The Western District Court of Barbour County shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse in Clayton. Regular sessions for the trial of criminal cases and civil cases shall be held on the first and third Wednesdays each month. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to com-

plete its business. The judge may fix reasonable hours for the holding of court.

Section 8. (a) The circuit clerk of Barbour County shall be the ex-officio clerk of this district court. In addition to his regular fees, commissions or compensation, he shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter, be allowed to circuit clerks in the State of Alabama, subject to the limitations of Section 15 (b) hereof. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Before entering upon the performance of his duties as clerk of this court, he must give bond as required by law for clerks of county courts.

He shall have the authority to maintain offices and appoint deputies for Clayton, Louisville, and Clio.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority to: (1) administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits summonses, subpoenas, writs, executions, commitments and releases making same returnable to the court hereby established; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of courts.

Section 9. (a) Except as otherwise provided in this act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

(c) When venue is improper, cases may be transferred between the Eastern District Court of Barbour County and the Western District Court of Barbour County on proper motion of any party, made any time before trial has commenced.

(d) Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama 1940, may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in

open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(e) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process of garnishment and the process shall so recite.

(f) The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama 1940 may be had in this court as in circuit courts.

Section 10. Execution may be issued on the judgment of this court and the revivor thereof had and actions thereon maintained in the same manner and for the same length of time and in accordance with the same procedure as is or may be provided by law with respect to judgments of the circuit court, provided that the scire facias to revive any judgment in said court need not be served for any greater length of time than is provided herein with respect to service of the summons, and provided further that an execution from said court need not have thereon an itemized statement of the bill of costs. The judgment of this court shall be subject to registration in the same manner and in accordance with the same procedure as is or may be provided by law for the registration of judgments of the circuit court, and the liens thereof shall attach and execution be issued thereon in the same manner and to the same extent and for the same length of time as is or may be provided by law with respect to circuit court judgments.

Section 11. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge, the ex-officio judge or the clerk of the court, or the deputy clerk of the court, or the district attorney of the county solicitor who shall issue a warrant of arrest if he is reasonable satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty or upon sworn complaint made by Code of Alabama 1940 Title 13, Section 327. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) In case of emergency the judge of said court may appoint suitable persons to act as constable without bond, except as hereinafter provided; and the persons so appointed must perform the same duties and are liable to the same pains and penalties, and are entitled to the same fee and compensation as regular constables; but such special constables are not authorized to levy or collect executions, attachments or writs of detinue, unless prior to the levying or collection of executions, attachments or writs of detinue, he execute a bond in the sum of twice the value of the property to be levied on, payable to the defendant as is required by law, with sureties to be approved by the judge appointing such special constables.

(c) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 12. The constables of the territorial jurisdiction of said court and the sheriff of Barbour County shall be the officers of said court and shall execute the processes from said court anywhere within Barbour County and make return thereof, and shall receive the same

fees as are now provided by law for similar services, with respect to process issuing from the courts of justices of the peace and inferior courts created in lieu of justices of the peace in said county. All writs of restitution or eviction shall be served by the sheriff.

Section 13.1. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 14. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this state may punish for contempt, by fine not exceeding fifty dollars (\$50.00) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 15. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses the court shall have authority to tax costs and commissions for the use of the officers of the court as follows: (1) in each civil action at law the same as the circuit court; (2) in each criminal case the same as in the county courts, including fees as provided by Section 89, paragraph 2, Title 11 of the Code of Alabama 1940.

(c) A trial tax of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00): in every other civil action at law, and in every criminal case, a trial tax of two dollars (\$2.00) shall be collected. These taxes shall be paid into the county treasury to the credit of the Judiciary Fund.

(d) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Barbour County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Barbour County, Alabama.

Section 16. The judge of this court shall make any and all necessary rules for the conduct of the court and the officers thereof, for the filing and trying of cases, for the distribution and service of the processes of the court and generally with respect to the duties of the various officers of the court and generally with respect to the duties of the various officers of the court in their relation to the court, the authority herein specifically granted not to be construed as limiting authority generally and usually exercised by judges in making and enforcing the rules of the court.

Section 17. The said court shall have the power to set aside, vacate or modify its judgments upon motion made in writing within five days after the rendition of same, which said motion must be promptly determined.

Section 18. Any party desiring to appeal shall give bond with sureties to be approved by the clerk conditioned to pay all costs which may be taxed against him in the circuit court. If the judgment appealed from is for the payment of money or for recovering of personal property and the party appealing desires to have the judgment superseded he shall give bond with sureties to be approved by the clerk and payable to the party or parties in whose favor the judgment was rendered and in such penalty as the judge may prescribe conditioned to pay

and satisfy such judgment and costs as may be awarded and taxed against him on the trial of the case in the circuit court. All such bonds shall be filed with and approved by the clerk within five days from the rendition of the judgment from which appeal is taken. This section shall not be applicable to judgments in forcible entry and unlawful detainer cases.

Section 19. Appeals from judgments of said court to the circuit court in cases of forcible entry and unlawful detainer shall be taken within the same time and in the same manner and upon the same conditions with respect to bonds and surety as are applicable to appeals in like cases from justice of the peace courts.

Section 20. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided: (1) If the case is a civil case, the appeal or certiorari lies to the circuit court of Barbour County and shall be governed by Article 6 or Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code of Alabama 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars (\$100.00) the issues shall be made up as provided by Code, 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. (2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the Code of Alabama 1940, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code of Alabama 1940, Title 13, Section 326.

Section 21. It shall be the duty of the clerk to issue an execution in all judgments rendered in said court after five days from the entry thereof and place the same in the hands of the sheriff or other officer of the court who shall return such execution within sixty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom the process issued out of which said execution can be satisfied in whole or in part.

Section 22. If it shall appear to the clerk that in any case where an execution has been returned unsatisfied as to the costs of said cause and in the opinion of the clerk said costs can be collected by an alias execution, the clerk may issue such alias execution and may direct the sheriff or constable as to what property can be levied upon to satisfy said judgment, and the clerk may issue in such cases such other and further execution as he may deem necessary to enforce payment of costs against any party liable to execution for costs whether plaintiff or defendant.

Section 23. When in any case execution against the defendant is returned "No property found" execution may issue against the plaintiff, in the name of the clerk, for all costs created by him in obtaining his judgment and attempting to collect the same.

Section 24. The judge of said court is hereby authorized and empowered to perform marriage ceremonies and collect and retain as a part of the prerequisites of his office the fees which are now or may be allowed by law.

Section 25. In addition to the power and jurisdiction herein conferred upon said court it shall have and is hereby given the authority and jurisdiction to sentence to perform hard labor for the County of Barbour for the payment of fine and costs in the same manner and

to the same extent as the circuit courts of this state have authority and jurisdiction to do.

Section 26. The judge of this court may designate in writing by general order, which shall continue until revoked by a general order of said judge, the clerk, deputy clerks or bailiff as ex-officio judge of said court, and the said ex-officio judge so designated shall have the power and authority to issue legal process from said court, to take affidavits and to issue warrants of arrest returnable to said court or any other court having jurisdiction of the offense in said county, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant issued by him and to keep a record of all processes, warrants and other matters handled by him as ex-officio judge. The said ex-officio judge shall have the power and authority to issue commitments to releases from jail, and to take and approve appearance bonds in all cases triable by said court. The said ex-officio judge shall not have the right or authority to try cases.

Section 27. If the defendant fails to appear as required by his bond said court shall enter a forfeiture against him and his sureties, and said court shall have the authority to issue and shall cause to issue scire facias to the bondsmen which shall be returnable in not less than twenty days from the issuance date and upon final hearing said court shall have the authority to pass upon the forfeiture and to make same final, or to take such other action as the circuit court of said county may be authorized to take in case of appearance bonds in said circuit court. Said judge shall issue an alias warrant for the arrest of the defendant.

Section 28. The judge of said court has the power and authority to require the sheriff of this county, or one of his deputies to attend upon the sessions of said court; and shall have all the power and authority inherent in the judge of a court of law and conferred by general statutes of the state in reference to bonds, commitments and recognizances.

Section 29. If the defendant fails to appear as required by his bond and a forfeiture is taken, said forfeiture shall conform as near as practicable to the form of circuit court of this state.

Section 30. If it appears to the court that any prosecution in said court is frivolous or malicious the court shall after hearing the facts render summary judgment and tax the prosecutor or person who made the complaint or affidavit with the costs. When the costs are imposed on the prosecutor or person who made the complaint or affidavit he may confess judgment for the same with good and sufficient sureties, and failing to do so or presently to pay the same, such person must be imprisoned in the county jail or sentenced to hard labor for Barbour County for the payment of same for such a term as may be required to pay the same not to exceed ten days.

Section 31. The mileage allowable to the sheriff or constable for process issued from this court shall be calculated from the courthouse at Eufaula.

Section 32. Wherever the territorial jurisdiction of this court covers part but not all of a precinct, the board of registrars and probate judge of Barbour County shall maintain and keep their records in such manner as accurately to reflect the electors residing within the territorial jurisdiction of the court.

Section 33. All books, papers, and records of this court shall be kept in the county courthouse at Clayton, Alabama, and the governing body of Barbour County shall provide suitable storage space for the same.

Section 34. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 35. All laws or parts of laws which conflict with this act are repealed.

Section 36. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law for the purpose of authorizing the appointment by the Governor of the election of judge for the court herein above provided for; but the act shall not become fully operative, nor shall the court be established until a judge therefor has been appointed or elected as hereinabove provided and has qualified. Upon the qualification of a duly appointed or elected judge the court shall thereupon be established and this act shall become fully operative.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 22nd day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1259. To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each division; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

Local Legislation No. 1.

Notice and Proof H. 1259:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each divi-

sion; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be the duty of the governing body of Barbour County to provide at the expense of said county offices at Eufaula, Alabama, for the tax collector and tax assessor of said county, and to provide therefor the necessary stationery, record books, telephones, office furniture, fixtures, and equipment similiar to those now kept in the offices of the said tax collector and tax assessor at Clayton, in said county.

Section 2. Said offices at Eufaula shall be kept open by the tax collector and tax assessor, and the books, records, and papers pertaining thereto shall be kept in said office. The tax collector and tax assessor shall keep clerks, in their absence, in charge of said offices, and the books, records, and papers therein. The clerks shall have power and authority, for and in the name of such tax collector and tax assessor, to perform all ministerial acts in connection with the office and the business thereof and the said tax collector and tax assessor shall be liable on their official bonds for the acts of their respective clerks. The tax collector and tax assessor may each require their clerks to execute a bond, with surety or sureties, in the same sum and payable and conditioned as required by law for the official bonds of tax collectors and tax assessors in this state, which bond shall be kept in the office of the county treasurer for Barbour County. Any person injured by any wrongful act or omission of such clerks may in his name, sue on the appropriate bond, or on the bond of the tax assessor or tax collector, as the case may be; and if such suit should be brought on the bond of the tax collector or the tax assessor, the bond of the appropriate clerk shall be deemed and held as bond of indemnity for the tax collector or tax assessor so proceeded against.

Section 3. For the purposes of this Act, Barbour County shall be composed of two divisions, separated by a line beginning on the South Boundary of said county at a point three miles West of the range line between Range 27 and Range 28, from thence running North in a straight line three miles West of and parallel to said range line to the intersection of said parallel line with the township line between Township 11 and Township 12, thence West along said township line to the intersection of said township line with the range line between Range 26 and Range 27, thence North along said range line three miles to the corner where Sections 13 and 24, Township 12, Range 26, and Sections 18 and 19, Township 12, Range 27 meet in a point; thence West along the Section lines three miles to the Southeast corner of Bullock County. The portion of said county lying North and East of said lines shall be known as the Eufaula Division, and the portion of said county lying South and West of said line shall be known as the Clayton Division.

Section 4. All books and papers pertaining to the Eufaula division shall be kept at the office in Eufaula, and all books and papers pertaining to the Clayton division shall be in the office at Clayton. Whenever a precinct lies partly within the Eufaula division and partly within the Clayton division, the record books, assessment sheets, plat books, and receipt books shall be divided accordingly and the proper books kept in the proper division. All powers of said tax collector and tax assessor shall be exercised in the appropriate division and all advertisements required by law to be made shall be made in each respective division.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. This Act shall become effective October 1, 1969.

**STATE OF ALABAMA
BARBOUR COUNTY**

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 22nd day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

By Mr. Neville (with notice and proof):

H. 1260. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

Local Legislation No. 1.

Notice and Proof H. 1260:

**STATE OF ALABAMA
COUNTY OF BARBOUR**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

Be It Enacted by the Legislature of Alabama:

Section 1. Justices of the peace and notaries public ex officio justices of the peace elected or appointed for or in any precinct of Barbour County are hereby divested and deprived of jurisdiction in all criminal and quasi-criminal cases, and they shall have no power or authority hereafter to exercise any jurisdiction whatsoever in a criminal or quasi-criminal case, or to take complaints of public offenses committed within the county, or to issue warrants of arrests.

Section 2. This Act shall not apply to nor affect any case pending in any justice of the peace court on the effective date hereof.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective December 31, 1970.

**STATE OF ALABAMA
BARBOUR COUNTY**

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of The Eufaula Tribune, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 7/3, 8, 15, 22.

JOEL P. SMITH.

Sworn to and subscribed before me this the 24th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

My Commission Expires Nov. 22, 1970.

RESOLUTION

The following resolution was introduced:

By Mr. Graham:

H. R. 106. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That The Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give the House their written opinions on the following important constitutional question which has arisen concerning the bill, H. B. 1117, now pending, a bill which would create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws:

Does Amendment No. 144 to the Constitution of Alabama prevent the enactment of such law without first submitting it to a vote of the people of Colbert County, Alabama for their approval or disapproval?

RESOLVED FURTHER, That the Clerk of the House be instructed to send to the Clerk of the Supreme Court seven copies of this resolution and four copies of the pending bill.

On motion of Mr. Graham, the rules were suspended and H. R. 106 was adopted.

BILLS ON THIRD READING

And the bill:

H. 1047. To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lybrand	Pearson
Agee	Graham	Lyons	Pennington
Bank	Grainger	Malone	Pruitt
Beck	Grayson	Mathews	Robertson
Berryman (W)	Hain	Mays	Sessions
Blanton	Harper	McCorquodale	Shumate
Bowers	Headley	McDonald	Springer
Brannan	Higginbotham	Meade	Steagall
Brassell	Holladay	Meeks	Tuck
Collier	Holman	Merrill	Waggoner
Culver	Jackson (F)	Nettles	Watkins
Dill	Jackson (T)	Neville	Weeks
Dobbs	Kilgore	Owen (Baldwin)	Yeilding
Downing	Lemley	Owens (W.E.)	Young
Fine			

—57

And the bill:

H. 1096. Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Foshee	Mathews	Pruitt
Agee	Garrett	Mays	Robertson
Bank	Graham	McCorquodale	Sessions
Bassett	Grainger	McDonald	Shumate
Beck	Grayson	McElhanev	Snell
Berryman (W)	Hain	McLain	Springer
Blanton	Harper	Meade	Starnes
Bowers	Headley	Meeks	Steagall
Brannan	Higginbotham	Melton	Stubbs
Brassell	Holman	Merrill	Tuck
Collier	Jackson (F)	Nettles	Waggoner
Crawford	Jackson (T)	Neville	Watkins
Culver	Kilgore	Owen (Baldwin)	Weeks
Dill	Lemley	Owens (W)	Williams
Dobbs	Lybrand	Owens (W.E.)	Yeilding
Downing	Lyons	Pearson	Young
Fine	Malone	Pennington	

—67

And the bill:

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Fine	Lyons	Perloff
Agee	Foshee	Malone	Robertson
Bassett	Gloor	Mays	Sessions
Beck	Grainger	McCorquodale	Snell
Berryman (W)	Hain	McDonald	Springer
Blanton	Harper	McElhaney	Starnes
Bolton	Headley	Meade	Steagall
Brannan	Higginbotham	Meeks	Stubbs
Brassell	Holladay	Melton	Tuck
Collier	Holman	Merrill	Waggoner
Cook (Jefferson)	House	Nettles	Watkins
Crawford	Jackson (F)	Neville	Weeks
Culver	Jackson (T)	Owen (Baldwin)	Williams
Dill	Kilgore	Owens (W)	Wright
Dobbs	Laxson	Owens (W.E.)	Yeilding
Downing	Lemley	Pearson	Young
Drake	Lybrand	Pennington	

—67

And the bill:

H. 1101. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)
Agee	Ellis	Kilgore	Pearson
Bank	Fine	Laxson	Pennington
Bassett	Foshee	Lemley	Perloff
Beck	Gloor	Lybrand	Robertson
Berryman (W)	Graham	Lyons	Sessions
Bolton	Grainger	Malone	Snell
Brannan	Grayson	Mays	Springer
Brassell	Hain	McDonald	Starnes
Brown	Harper	McElhaney	Stubbs
Collier	Harris	Meade	Tuck
Cook (Jefferson)	Headley	Melton	Waggoner
Crawford	Higginbotham	Merrill	Weeks
Culver	Holladay	Nettles	Wright
Dill	Holman	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing	Jackson (F)	Owens (W)	

—67

And the bill:

H. 1102. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Owens (W)
Agee	Ellis	Laxson	Pearson
Beck	Fine	Lemley	Pennington
Berryman (W)	Foshee	Lybrand	Perloff
Bolton	Gloor	Lyons	Robertson
Bowers	Graham	Malone	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Hain	Mays	Springer
Brown	Harper	McDonald	Starnes
Collier	Headley	Meade	Stubbs
Cook (Jefferson)	Higginbotham	Meeks	Tuck
Crawford	Holladay	Melton	Watkins
Culver	Holman	Merrill	Weeks
Dill	House	Nettles	Williams
Dobbs	Jackson (F)	Neville	Wright
Downing	Jackson (T)	Owen (Baldwin)	Yeilding

—64

And the bill:

H. 1103. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide an allowance for the employment of additional clerical assistance by the tax collectors and tax assessors of such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Gloor	Malone	Robertson
Berryman (W)	Graham	Mays	Sessions
Bolton	Grainger	McDonald	Smith
Bowers	Grayson	McElhaney	Snell
Brannan	Hain	Meade	Springer
Brassell	Harper	Meeks	Starnes
Brown	Higginbotham	Melton	Stubbs
Burgess	Holladay	Merrill	Tuck
Collier	Holman	Nettles	Waggoner
Cook (Jefferson)	House	Neville	Weeks
Crawford	Jackson (F)	Owen (Baldwin)	Williams
Dill	Jackson (T)	Owens (W)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Kilgore	Paulk	Young
Drake	Laxson		

—70

And the bill:

H. 1104. Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson
Agee	Drake	Lybrand	Pennington
Bassett	Ellis	Lyons	Perloff
Beck	Fine	Malone	Robertson
Berryman (W)	Foshee	Mays	Sessions
Bolton	Graham	McCorquodale	Smith
Bowers	Grainger	McDonald	Snell
Brannan	Grayson	McElhaney	Springer
Brassell	Hain	Meade	Starnes
Brown	Harper	Meeks	Stembridge
Burgess	Headley	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	House	Nettles	Waggoner
Cook (Jefferson)	Jackson (F)	Neville	Weeks
Crawford	Jackson (T)	Owen (Baldwin)	Williams
Culver	Jones	Owens (W)	Wright
Dill	Kilgore	Owens (W.E.)	Yeilding
Doss	Laxson	Paulk	

—71

And the bill:

H. 1116. Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Franklin County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Pruitt
Beck	Gloor	Malone	Robertson
Berryman (W)	Graham	Mays	Sessions
Bolton	Grainger	McCorquodale	Smith
Bowers	Grayson	McDonald	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Harper	Meade	Starnes
Brown	Headley	Meeks	Stembridge
Burgess	Higginbotham	Melton	Stubbs
Collier	Holman	Merrill	Tuck
Collins (C)	House	Nettles	Waggoner
Cook (Jefferson)	Jackson (F)	Neville	Weeks
Crawford	Jackson (T)	Owen (Baldwin)	Williams
Dill	Jones	Owens (W)	Wright
Dobbs	Kilgore	Owens (W.E.)	Yeilding
Downing	Laxson	Paulk	Young

—72

And the bill:

H. 1117. To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter

pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Pruitt
Beck	Garrett	Malone	Robertson
Berryman (W)	Gloor	Mathews	Sessions
Bolton	Graham	Mays	Snell
Brannan	Grainger	McDonald	Springer
Brassell	Grayson	McElhaney	Starnes
Brown	Harper	Meade	Stembridge
Collier	Headley	Melton	Stubbs
Collins (C)	Holladay	Merrill	Tuck
Crawford	Holman	Nettles	Waggoner
Culver	Jackson (F)	Neville	Weeks
Dill	Jackson (T)	Owen (Baldwin)	Williams
Dobbs	Jones	Owens (W)	Wright
Doss	Kilgore	Owens (W.E.)	Yeilding
Downing	Laxson		

—66

And the bill:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Crawford	Grayson	Lyons
Agee	Culver	Hain	Malone
Bassett	Dill	Harper	Mays
Beck	Dobbs	Higginbotham	McDonald
Berryman (W)	Doss	Holman	McElhaney
Bolton	Downing	House	Meade
Brannan	Drake	Jackson (F)	Meeks
Brassell	Fine	Jackson (T)	Melton
Brown	Foshee	Jones	Merrill
Burgess	Garrett	Kilgore	Nettles
Collier	Gloor	Laxson	Neville
Collins (C)	Graham	Lemley	Owen (Baldwin)
Cook (Jefferson)	Grainger	Lybrand	Owens (W)

Owens (W.E.)	Robertson	Stubbs	Williams
Pearson	Sessions	Tuck	Wright
Pennington	Snell	Waggoner	Yeilding
Perloff	Springer	Weeks	Young
Pruitt	Starnes		

—70

And the bill:

H. 1128. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W.E.)
Agee	Dobbs	Jones	Pearson
Bank	Downing	Kilgore	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (W)	Ellis	Lybrand	Robertson
Blanton	Fine	Lyons	Sessions
Bowers	Foshee	Malone	Slate
Brannan	Gafford	Mays	Smith
Brassell	Gloor	McCorquodale	Snell
Brown	Graham	McDonald	Starnes
Burgess	Grainger	McElhaney	Stembridge
Cherner	Grayson	Meade	Stubbs
Collier	Hain	Meeks	Tuck
Collins (C)	Harris	Merrill	Waggoner
Collins (W)	Headley	Nettles	Williams
Cook (Jefferson)	Higginbotham	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Owens (W)	Young

—76

And the bill:

H. 1129. To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dill	Graham
Agee	Brown	Dobbs	Grainger
Bank	Burgess	Doss	Grayson
Bassett	Cherner	Downing	Hain
Beck	Collier	Drake	Harper
Berryman (W)	Collins (C)	Edington	Harris
Blanton	Collins (W)	Ellis	Higginbotham
Bolton	Cook (Coffee)	Fine	Holman
Bowers	Crawford	Foshee	Jackson (F)
Brannan	Culver	Gafford	Jackson (T)

Jones	McElhanev	Perloff	Stubbs
Kilgore	Meade	Pruitt	Tuck
Laxson	Meeks	Robertson	Waggoner
Lemley	Merrill	Sessions	Weeks
Lybrand	Nettles	Slate	Williams
Lyons	Neville	Smith	Wood
Malone	Owen (Baldwin)	Snell	Wright
Marr	Owens (W)	Springer	Yeilding
Mays	Owens (W.E.)	Starnes	Young
McCorquodale	Pearson	Stembridge	

—79

And the bill:

H. 1130. Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Doss	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Lybrand	Pruitt
Bassett	Edington	Lyons	Robertson
Beck	Ellis	Malone	Sessions
Berryman (W)	Fine	Marr	Smith
Blanton	Foshee	Mays	Snell
Bolton	Gafford	McCorquodale	Springer
Brannan	Graham	McDonald	Starnes
Brassell	Grainger	McElhanev	Stembridge
Burgess	Grayson	Meeks	Stubbs
Cherner	Hain	Merrill	Tuck
Collier	Harper	Nettles	Waggoner
Collins (C)	Harris	Neville	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Holman	Owens (W)	Wood
Cook (Jefferson)	Jackson (F)	Owens (W.E.)	Wright
Culver	Jackson (T)	Paulk	Yeilding
Dill	Jones	Pearson	Young
Dobbs	Kilgore		

—78

And the bill:

H. 1131. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brassell
Agee	Beck	Bolton	Burgess
Bank	Berryman (W)	Bowers	Cherner

Collier	Graham	Marr	Pruitt
Collins (C)	Grainger	Mathews	Robertson
Collins (W)	Grayson	Mays	Sessions
Cook (Coffee)	Hain	McCorquodale	Smith
Cook (Jefferson)	Harper	McDonald	Snell
Crawford	Harris	McElhaney	Starnes
Culver	Headley	Meade	Stembridge
Dill	Holman	Meeks	Stubbs
Dobbs	Jackson (F)	Merrill	Tuck
Downing	Jackson (T)	Nettles	Weeks
Drake	Jones	Neville	Williams
Edington	Kilgore	Owen (Baldwin)	Wood
Ellis	Lemley	Owens (W)	Wright
Fine	Lybrand	Owens (W.E.)	Yeilding
Foshee	Lyons	Pearson	Young
Gafford	Malone	Perloff	

—75

And the bill:

H. 1159 (with amendment). Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1, strike out the period at the end of the section and insert in lieu thereof the following: ; provided, however, that the requirement of being a high school graduate with a high school diploma or its equivalent shall not apply to any person holding the office of chief deputy sheriff or deputy sheriff at the time of passage of this Act.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Drake	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Marr	Slate
Bolton	Graham	Mathews	Smith
Brassell	Grainger	Mays	Snell
Brown	Grayson	McCorquodale	Springer
Cherner	Hain	McDonald	Starnes
Collier	Harper	McElhaney	Stubbs
Collins (C)	Harris	Meade	Tuck
Collins (W)	Headley	Meeks	Weeks
Cook (Coffee)	Higginbotham	Merrill	Williams
Cook (Jefferson)	Holman	Nettles	Wood
Culver	Jackson (F)	Neville	Wright
Dill	Jackson (T)	Owen (Baldwin)	Yeilding
Dobbs	Jones	Owens (W)	Young
Doss			

—77

REGULAR SESSION

1609

And the bill, H. 1159, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pruitt
Agee	Edington	Lybrand	Robertson
Bassett	Ellis	Lyons	Sessions
Beck	Fine	Malone	Shumate
Berryman (W)	Foshee	Marr	Slate
Blanton	Graham	Mathews	Smith
Bolton	Grainger	Mays	Snell
Brassell	Grayson	McCorquodale	Springer
Brown	Hain	McDonald	Starnes
Cherner	Harper	Meade	Stembridge
Collier	Harris	Meeks	Stubbs
Collins (W)	Headley	Merrill	Tuck
Cook (Coffee)	Higginbotham	Nettles	Waggoner
Cook (Jefferson)	Holman	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Dill	Jackson (T)	Owens (W)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Doss	Kilgore	Pearson	Young
Downing	Laxson	Perloff	

—75

And the bill:

H. 1160. To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Perloff
Agee	Edington	Lemley	Pruitt
Bank	Ellis	Lybrand	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Foshee	Malone	Slate
Berryman (W)	Gafford	Marr	Smith
Blanton	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Burgess	Grayson	McDonald	Starnes
Cherner	Hain	Meade	Steagall
Collier	Harper	Meeks	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Headley	Nettles	Weeks
Cook (Jefferson)	Higginbotham	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Pearson	Young
Downing	Kilgore	Pennington	

—75

And the bill:

H. 1161. To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent

for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bowers	Gafford	Malone	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mathews	Springer
Brown	Grayson	Mays	Starnes
Brassell	Hain	McCorquodale	Stubbs
Cherner	Harper	McDonald	Tuck
Collier	Harris	McElhaney	Waggoner
Collins (C)	Headley	Meade	Weeks
Collins (W)	Higginbotham	Meeks	Williams
Cook (Coffee)	Hobbie	Melton	Wood
Cook (Jefferson)	Holman	Nettles	Wright
Culver	House	Neville	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young

—80

And the bill:

H. 1162. Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Agee	Drake	Jones	Pearson
Bank	Edington	Kilgore	Pennington
Bassett	Ellis	Laxson	Perloff
Beck	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Shumate
Brannan	Graham	Malone	Slate
Brassell	Grainger	Marr	Snell
Brown	Grayson	Mathews	Springer
Collier	Hain	Mays	Starnes
Collins (C)	Harper	McCorquodale	Stubbs
Collins (W)	Harris	McDonald	Tuck
Cook (Coffee)	Headley	McElhaney	Weeks
Cook (Jefferson)	Higginbotham	Meade	Williams
Culver	Hobbie	Melton	Wood
Dill	Holman	Nettles	Wright
Dobbs	House	Neville	Yeilding
Doss	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 1163. Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Jones	Pearson
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Slate
Blanton	Foshee	Malone	Snell
Bowers	Gafford	Marr	Springer
Brannan	Graham	Mathews	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McDonald	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Harper	Meade	Waggoner
Collins (C)	Harris	Meeks	Weeks
Collins (W)	Headley	Melton	Williams
Cook (Coffee)	Higginbotham	Merrill	Wood
Cook (Jefferson)	Hobbie	Money	Wright
Culver	Holman	Neville	Yeilding
Dill	House	Owen (Baldwin)	Young
Dobbs	Jackson (F)	Owens (W)	

—79

And the bill:

H. 1164. To fix the compensation and allowance of election officers in Pickens County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Owens (W.E.)
Bank	Ellis	Jones	Pearson
Bassett	Fine	Kilgore	Perloff
Beck	Foshee	Laxson	Pruitt
Berryman (W)	Gafford	Lemley	Robertson
Blanton	Graham	Malone	Shumate
Brannan	Grainger	Marr	Slate
Brassell	Grayson	Mathews	Snell
Cherner	Hain	Mays	Starnes
Collier	Harper	McCorquodale	Stubbs
Collins (W)	Harris	McDonald	Tuck
Cook (Coffee)	Haygood	McElhaney	Weeks
Cook (Jefferson)	Headley	Meade	Williams
Culver	Higginbotham	Melton	Wood
Dill	Hobbie	Merrill	Wright
Dobbs	Holman	Neville	Yeilding
Doss	House	Owen (Baldwin)	Young
Downing			

—73

And the bill:

H. 1165. To provide for the compensation of the deputy sheriffs of Pickens County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W)
Bank	Edington	Jones	Owens (W.E.)
Bassett	Ellis	Kilgore	Pearson
Beck	Fine	Laxson	Perloff
Berryman (W)	Foshee	Lemley	Robertson
Bowers	Gafford	Lybrand	Slate
Brannan	Graham	Malone	Snell
Brassell	Grainger	Marr	Springer
Cherner	Grayson	Mathews	Starnes
Collier	Hain	Mays	Stubbs
Collins (C)	Harper	McCorquodale	Tuck
Collins (W)	Harris	McDonald	Waggoner
Cook (Coffee)	Haygood	McElhaney	Weeks
Cook (Jefferson)	Headley	Meade	Williams
Culver	Higginbotham	Meeks	Wood
Dill	Hobbie	Melton	Wright
Dobbs	Holman	Merrill	Yeilding
Doss	House	Neville	Young

—76

And the bill:

H. 1166. To provide for compensation of jurors in Pickens County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Perloff
Bassett	Edington	Kilgore	Pruitt
Beck	Ellis	Laxson	Robertson
Berryman (W)	Fine	Lemley	Slate
Blanton	Foshee	Lybrand	Snell
Bowers	Gafford	Malone	Springer
Brannan	Grainger	Marr	Starnes
Brassell	Grayson	Mays	Stubbs
Brown	Hain	McCorquodale	Tuck
Collier	Harper	McElhaney	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Haygood	Meeks	Williams
Cook (Coffee)	Headley	Melton	Wood
Cook (Jefferson)	Higginbotham	Merrill	Wright
Culver	Hobbie	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	House	Owens (W)	

—75

And the bill:

H. 1167. To regulate the compensation of jurors in counties having populations of not less than 20,100 nor more than 21,850.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Perloff
Bassett	Edington	Kilgore	Pruitt
Beck	Ellis	Laxson	Robertson
Berryman (W)	Fine	Lemley	Slate
Blanton	Foshee	Lybrand	Snell
Bowers	Gafford	Malone	Springer
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mays	Stembridge
Brown	Grayson	McCorquodale	Stubbs
Cherner	Hain	McDonald	Tuck
Collier	Harper	McElhaney	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Haygood	Meeks	Williams
Cook (Coffee)	Headley	Melton	Wood
Cook (Jefferson)	Higginbotham	Money	Wright
Culver	Hobbie	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	House	Owens (W)	

—79

And the bill:

H. 1168. To regulate the compensation of jurors in counties having populations of not less than 14,500 nor more than 14,900.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bassett	Drake	Jackson (T)	Owens (W.E.)
Beck	Edington	Jones	Pearson
Berryman (W)	Ellis	Kilgore	Perloff
Blanton	Fine	Laxson	Pruitt
Bowers	Foshee	Lemley	Robertson
Brannan	Gafford	Lybrand	Snell
Brassell	Graham	Malone	Springer
Brown	Grainger	Marr	Starnes
Cherner	Grayson	Mays	Steagall
Collier	Hain	McCorquodale	Stembridge
Collins (C)	Harper	McDonald	Stubbs
Collins (W)	Harris	McElhaney	Tuck
Cook (Coffee)	Haygood	Meade	Weeks
Cook (Jefferson)	Headley	Meeks	Wood
Culver	Higginbotham	Melton	Wright
Dill	Hobbie	Merrill	Yeilding
Dobbs	Holman	Neville	Young

—76

And the bill:

H. 1179. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W)
Bassett	Edington	Jones	Owens (W.E.)
Beck	Ellis	Kilgore	Pearson
Berryman (W)	Fine	Laxson	Perloff
Blanton	Foshee	Lemley	Pruitt
Bowers	Gafford	Lybrand	Robertson
Brannan	Graham	Lyons	Slate
Brassell	Grainger	Malone	Snell
Brown	Grayson	Marr	Springer
Cherner	Hain	Mays	Starnes
Collier	Harper	McCorquodale	Stubbs
Collins (C)	Harris	McDonald	Tuck
Collins (W)	Haygood	McElhaney	Weeks
Cook (Jefferson)	Headley	Meade	Wood
Culver	Higginbotham	Meeks	Wright
Dill	Hobbie	Merrill	Yeilding
Dobbs	Holman	Nettles	Young
Doss	House	Neville	

—75

And the bill:

H. 1180. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owens (W)
Agee	Doss	House	Owens (W.E.)
Bank	Downing	Jackson (F)	Pearson
Bassett	Edington	Jackson (T)	Perloff
Beck	Ellis	Jones	Pruitt
Berryman (W)	Fine	Kilgore	Robertson
Blanton	Foshee	Laxson	Slate
Brannan	Gafford	Lybrand	Snell
Brassell	Graham	Malone	Springer
Brown	Grainger	Marr	Starnes
Cherner	Grayson	Mays	Steagall
Collier	Hain	McCorquodale	Stubbs
Collins (C)	Harper	McDonald	Tuck
Collins (W)	Harris	Meade	Weeks
Cook (Coffee)	Haygood	Meeks	Wood
Cook (Jefferson)	Headley	Merrill	Wright
Culver	Higginbotham	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young

—72

And the bill:

H. 1182. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Owens (W.E.)
Agee	Fine	Jones	Pearson
Beck	Foshee	Kilgore	Perloff
Berryman (W)	Gafford	Laxson	Pruitt
Blanton	Garrett	Lybrand	Robertson
Brannan	Graham	Malone	Slate
Brassell	Grainger	Marr	Snell
Cherner	Grayson	Mays	Springer
Collier	Hain	McCorquodale	Starnes
Collins (C)	Harper	McDonald	Steagall
Collins (W)	Haygood	McElhaney	Stubbs
Cook (Coffee)	Headley	Meade	Tuck
Culver	Higginbotham	Meeks	Weeks
Dill	Hobbie	Merrill	Wood
Dobbs	Holman	Neville	Wright
Doss	House	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Edington			

—69

And the bill:

H. 1187. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Edington	Jackson (T)	Owens (W)
Bank	Ellis	Jones	Owens (W.E.)
Bassett	Fine	Kilgore	Pearson
Beck	Foshee	Laxson	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bowers	Graham	Malone	Slate
Brassell	Grainger	Marr	Snell
Brown	Grayson	Mays	Springer
Cherner	Hain	McCorquodale	Starnes
Collier	Harper	McDonald	Steagall
Collins (C)	Harris	McElhaney	Stubbs
Collins (W)	Haygood	Meade	Tuck
Cook (Coffee)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Melton	Wood
Culver	Hobbie	Merrill	Wright
Dill	Holman	Nettles	Yeilding
Dobbs	House	Neville	Young
Doss			

—77

And the bill:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Owens (W)
Agee	Fine	Jones	Owens (W.E.)
Bank	Foshee	Kilgore	Pearson
Bassett	Gafford	Laxson	Perloff
Beck	Garrett	Lybrand	Pruitt
Berryman (W)	Graham	Lyons	Robertson
Brannan	Grainger	Malone	Slate
Brassell	Grayson	Marr	Snell
Cherner	Hain	Mays	Springer
Collier	Harper	McCorquodale	Starnes
Collins (C)	Harris	McElhaney	Steagall
Collins (W)	Haygood	Meade	Stubbs
Cook (Coffee)	Headley	Meeks	Tuck
Culver	Higginbotham	Melton	Weeks
Dill	Hobbie	Merrill	Wood
Dobbs	Holman	Nettles	Wright
Doss	House	Neville	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	Young
Edgington			

—73

And the bill:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Collier	Foshee	Higginbotham
Agee	Collins (C)	Gafford	Hobbie
Bank	Collins (W)	Garrett	Holman
Bassett	Cook (Coffee)	Graham	House
Beck	Culver	Grainger	Jackson (F)
Berryman (W)	Dill	Grayson	Jackson (T)
Bowers	Downing	Hain	Jones
Brannan	Drake	Harper	Kilgore
Brassell	Edgington	Harris	Laxson
Brown	Ellis	Haygood	Lemley
Cherner	Fine	Headley	Lybrand

Lyons	Meeks	Perloff	Stubbs
Malone	Merrill	Pruitt	Tuck
Marr	Nettles	Robertson	Weeks
Mays	Neville	Slate	Wood
McCorquodale	Owen (Baldwin)	Snell	Wright
McDonald	Owens (W)	Springer	Yeilding
McElhaney	Owens (W.E.)	Starnes	Young
Meade	Pearson		

—74

And the bill:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Owens (W)
Agee	Ellis	Kilgore	Owens (W.E.)
Bank	Fine	Laxson	Pearson
Bassett	Foshee	Lemley	Perloff
Beck	Gafford	Lybrand	Pruitt
Berryman (W)	Garrett	Lyons	Robertson
Brannan	Grainger	Malone	Shumate
Brassell	Grayson	Marr	Snell
Brown	Hain	Mays	Springer
Cherner	Harper	McCorquodale	Starnes
Collier	Harris	McDonald	Steagall
Collins (C)	Headley	McElhaney	Stubbs
Collins (W)	Higginbotham	Meade	Tuck
Cook (Coffee)	Hobbie	Meeks	Waggoner
Culver	Holman	Merrill	Wood
Dill	House	Nettles	Wright
Downing	Jackson (F)	Neville	Yeilding
Drake	Jackson (T)	Owen (Baldwin)	Young

—72

And the bill:

H. 1147. To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Edington	Headley
Agee	Collins (W)	Ellis	Higginbotham
Bassett	Cook (Coffee)	Fine	House
Beck	Culver	Foshee	Jackson (F)
Berryman (W)	Dill	Garrett	Jackson (T)
Brannan	Dobbs	Grainger	Jones
Brassell	Doss	Grayson	Laxson
Cherner	Downing	Hain	Lemley
Collier	Drake	Harper	Lybrand

Lyons	Merrill	Perloff	Stubbs
Malone	Money	Pruitt	Tuck
Marr	Nettles	Robertson	Waggoner
Mays	Neville	Slate	Weeks
McCorquodale	Owen (Baldwin)	Snell	Wood
McDonald	Owens (W)	Springer	Wright
McElhaney	Owens (W.E.)	Starnes	Yeilding
Meade	Pearson	Steagall	Young
Meeks	Pennington		

—70

And the bill:

H. 1148. To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bank	Gafford	Lyons	Perloff
Bassett	Garrett	Malone	Pruitt
Beck	Graham	Marr	Robertson
Berryman (W)	Grainger	Mays	Slate
Bowers	Grayson	McCorquodale	Snell
Brannan	Hain	McDonald	Springer
Brassell	Harper	McElhaney	Starnes
Collins (C)	Harris	Meade	Steagall
Collins (W)	Headley	Meeks	Stubbs
Cook (Coffee)	Higginbotham	Melton	Tuck
Culver	Holman	Merrill	Weeks
Dill	House	Money	Williams
Dobbs	Jackson (F)	Nettles	Wood
Doss	Jackson (T)	Neville	Wright
Downing	Jones	Owen (Baldwin)	Yeilding
Drake	Kilgore	Owens (W)	Young
Edington	Laxson	Owens (W.E.)	

—75

And the bill:

H. 1149. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Edington	Headley
Agee	Collins (W)	Fine	Higginbotham
Bassett	Cook (Coffee)	Foshee	Holman
Beck	Culver	Graham	House
Berryman (W)	Dill	Grainger	Jackson (F)
Bowers	Dobbs	Grayson	Jackson (T)
Brannan	Doss	Hain	Jones
Brassell	Downing	Harper	Kilgore
Collier	Drake	Harris	Laxson

Lemley	Meade	Pearson	Steagall
Lybrand	Meeks	Pennington	Stubbs
Lyons	Melton	Perloff	Tuck
Malone	Merrill	Pruitt	Weeks
Marr	Money	Robertson	Williams
Mays	Nettles	Slate	Wood
McCorquodale	Neville	Snell	Wright
McDonald	Owen (Baldwin)	Springer	Yeilding
McElhaney	Owens (W)	Starnes	Young
McLain	Owens (W.E.)		

—74

And the bill:

H. 1150. To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Owens (W.E.)
Agee	Foshee	Lybrand	Pearson
Bank	Gafford	Lyons	Pennington
Bassett	Graham	Malone	Perloff
Beck	Grainger	Marr	Robertson
Berryman (W)	Grayson	Mays	Slate
Brannan	Hain	McCorquodale	Snell
Brassell	Harper	McDonald	Springer
Cherner	Harris	McElhaney	Starnes
Collier	Headley	Meade	Steagall
Culver	Higginbotham	Meeks	Stubbs
Dill	Holladay	Melton	Tuck
Dobbs	Holman	Merrill	Weeks
Doss	House	Money	Williams
Downing	Jackson (F)	Nettles	Wood
Drake	Jackson (T)	Neville	Wright
Edington	Jones	Owen (Baldwin)	Yeilding
Ellis	Laxson	Owens (W)	Young

—72

And the bill:

H. 1151 (with amendment). To allow subsequent jury service in the Twenty-Third Judicial Circuit of Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In the title strike out the following words and figures, "To allow subsequent jury service in the Twenty-Third Judicial Circuit of Alabama." and insert in lieu thereof the following:

To regulate further the excusing of persons from jury service in the Twenty-third Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Ellis	Lybrand	Pennington
Bank	Fine	Lyons	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Garrett	Marr	Robertson
Berryman (W)	Graham	Mays	Shumate
Blanton	Grainger	McCorquodale	Slate
Bowers	Grayson	McDonald	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Harper	McLain	Starnes
Cherner	Harris	Meade	Steagall
Collier	Headley	Meeks	Stubbs
Collins (C)	Higginbotham	Melton	Tuck
Collins (W)	Holman	Merrill	Waggoner
Cook (Coffee)	House	Money	Weeks
Culver	Jackson (F)	Nettles	Williams
Dill	Jackson (T)	Neville	Wood
Dobbs	Jones	Owen (Baldwin)	Wright
Doss	Kilgore	Owens (W)	Yeilding
Downing	Laxson	Owens (W.E.)	Young

—80

And the bill, H. 1151, as amended:

To regulate further the excusing of persons from jury service in the Twenty-third Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Edington	Lybrand	Pennington
Bank	Ellis	Lyons	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Marr	Robertson
Berryman (W)	Graham	Mays	Shumate
Bowers	Grainger	McCorquodale	Slate
Brannan	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Springer
Cherner	Harper	McLain	Starnes
Collier	Harris	Meade	Steagall
Collins (C)	Headley	Meeks	Stubbs
Collins (W)	Higginbotham	Merrill	Tuck
Cook (Coffee)	Holman	Money	Weeks
Culver	House	Nettles	Williams
Dill	Jackson (F)	Neville	Wood
Dobbs	Jackson (T)	Owen (Baldwin)	Wright
Doss	Jones	Owens (W)	Yeilding
Downing	Laxson	Owens (W.E.)	Young

—76

And the bill:

H. 1152 (with amendment). Separation of jury by consent in the Twenty-Third Judicial Circuit of Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In the title strike out the following words and figures, "Separation of jury by consent in the Twenty-Third Judicial Circuit of Alabama." and insert in lieu thereof the following:

Relating to judicial procedure in the Twenty-third judicial circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Ellis	Lybrand	Pennington
Bank	Fine	Lyons	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Graham	Marr	Robertson
Berryman (W)	Grainger	Mays	Shumate
Bolton	Grayson	McDonald	Slate
Bowers	Hain	McElhaney	Snell
Brannan	Harper	McLain	Starnes
Brassell	Harris	Meade	Steagall
Cherner	Headley	Meeks	Stembridge
Collier	Higginbotham	Melton	Stubbs
Collins (C)	Holman	Merrill	Tuck
Collins (W)	House	Money	Weeks
Cook (Coffee)	Jackson (F)	Nettles	Williams
Culver	Jackson (T)	Neville	Wood
Dill	Jones	Owen (Baldwin)	Wright
Dobbs	Kilgore	Owens (W)	Yeilding
Doss	Laxson	Owens (W.E.)	Young
Downing			

—77

And the bill, H. 1152, as thus amended:

Relating to judicial procedure in the Twenty-third judicial circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cherner	Fine	House
Agee	Collier	Foshee	Jackson (F)
Bank	Collins (C)	Garrett	Jackson (T)
Bassett	Collins (W)	Graham	Jones
Beck	Cook (Coffee)	Grainger	Kilgore
Berryman (W)	Dill	Grayson	Laxson
Bolton	Dobbs	Hain	Lemley
Bowers	Doss	Harper	Lybrand
Brannan	Downing	Headley	Lyons
Brassell	Drake	Higginbotham	Malone
Burgess	Ellis	Holman	Marr

Mays	Nettles	Pruitt	Stubbs
McDonald	Neville	Robertson	Tuck
McElhaney	Owen (Baldwin)	Shumate	Weeks
McLain	Owens (W)	Slate	Williams
Meeks	Owens (W.E.)	Snell	Wood
Melton	Pearson	Springer	Wright
Merrill	Pennington	Starnes	Yeilding
Money	Perloff	Steagall	Young

—76

And the bill:

H. 1153 (with amendment). To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1. (a) strike out the words and figures, "Fourteen Thousand (\$14,000.00)" and insert in lieu thereof the following: Fifteen Thousand (\$15,000.00)

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	Lyons	Robertson
Beck	Ellis	Malone	Shumate
Berryman (W)	Fine	Marr	Slate
Blanton	Foshee	Mays	Snell
Bolton	Garrett	McDonald	Springer
Bowers	Graham	McElhaney	Starnes
Brannan	Grainger	Meeks	Steagall
Brassell	Grayson	Melton	Stembridge
Cherner	Hain	Merrill	Stubbs
Collier	Harper	Money	Tuck
Collins (C)	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Neville	Williams
Cook (Coffee)	Holman	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Dill	Jackson (T)	Owens (W.E.)	Young
Dobbs	Jones	Pearson	

—75

And the bill, H. 1153, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgess	Collins (W)
Agee	Bowers	Cherner	Cook (Coffee)
Bassett	Brannan	Collier	Culver
Beck	Brassell	Collins (C)	Dill

Dobbs	Headley	McDonald	Pruitt
Doss	Higginbotham	McElhaney	Robertson
Downing	Holman	McLain	Shumate
Drake	Jackson (F)	Meeks	Snell
Ellis	Jackson (T)	Merrill	Springer
Fine	Jones	Money	Starnes
Foshee	Kilgore	Nettles	Steagall
Gafford	Laxson	Neville	Tuck
Garrett	Lemley	Owen (Baldwin)	Williams
Graham	Lybrand	Owens (W)	Wood
Grainger	Lyons	Owens (W.E.)	Wright
Grayson	Malone	Pearson	Yeilding
Hain	Marr	Pennington	Young
Harper	Mays	Perloff	

—71

And the bill:

H. 1154 (with amendment). To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1, first paragraph thereof, strike out the words and figures, "Thirteen Thousand (\$13,000.00) Dollars," and insert in lieu thereof the following: Thirteen Thousand Five Hundred Dollars (\$13,500.00)

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Bowers	Garrett	Marr	Shumate
Brannan	Graham	Mays	Slate
Brassell	Grainger	McDonald	Snell
Burgess	Grayson	McLain	Springer
Cherner	Hain	Meade	Starnes
Collier	Harper	Meeks	Steagall
Collins (C)	Harris	Merrill	Stubbs
Collins (W)	Headley	Money	Tuck
Cook (Coffee)	Holman	Nettles	Williams
Culver	Jackson (F)	Neville	Wood
Dill	Jackson (T)	Owen (Baldwin)	Wright
Dobbs	Jones	Owens (W)	Yeilding
Doss	Kilgore	Owens (W.E.)	Young
Downing			

—73

And the bill, H. 1154, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pennington
Agee	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Gafford	Marr	Shumate
Bowers	Garrett	Mays	Snell
Brannan	Graham	McDonald	Springer
Brassell	Grainger	McElhaney	Starnes
Burgess	Grayson	McLain	Steagall
Cherner	Hain	Meade	Stembridge
Collier	Harper	Meeks	Stubbs
Collins (C)	Headley	Merrill	Tuck
Collins (W)	Holman	Money	Waggoner
Cook (Coffee)	Jackson (F)	Nettles	Williams
Culver	Jackson (T)	Owen (Baldwin)	Wood
Dill	Jones	Owens (W)	Wright
Dobbs	Kilgore	Owens (W.E.)	Yeilding
Doss	Laxson	Pearson	Young
Downing			

—73

And the bill:

H. 1155 (with amendment). To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act No. 289, S 299, 1953 Acts 354).

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 4 strike out the period at the end of the section and add as a part of such section the following words and phrases: ; provided, however, that no expenditures authorized by this Section 4 shall be made by the Board of County Commissioners until it is determined by the Board that there are sufficient monies in the fund or to become due to the fund to meet the expenditures required to be made under Section 3 of this Act.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	Harper	Mays
Agee	Dobbs	Harris	McCorquodale
Bassett	Doss	Headley	McDonald
Beck	Downing	Holman	McElhaney
Berryman (W)	Drake	Jackson (F)	McLain
Bowers	Ellis	Jackson (T)	Meade
Brannan	Fine	Jones	Meeks
Brassell	Foshee	Kilgore	Merrill
Burgess	Gafford	Laxson	Money
Cherner	Garrett	Lemley	Nettles
Collier	Graham	Lybrand	Neville
Collins (W)	Grainger	Lyons	Owen (Baldwin)
Cook (Coffee)	Grayson	Malone	Owens (W)
Culver	Hain	Marr	Owens (W.E.)

Pearson	Slate	Stembridge	Wood
Pennington	Snell	Stubbs	Wright
Pruitt	Springer	Tuck	Yeilding
Robertson	Starnes	Waggoner	Young
Shumate	Steagall	Williams	—75

And the bill, H. 1155, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lyons	Perloff
Agee	Fine	Malone	Pruitt
Bassett	Foshee	Marr	Robertson
Beck	Garrett	Mays	Shumate
Berryman (W)	Graham	McDonald	Slate
Bowers	Grainger	McLain	Snell
Brassell	Grayson	Meade	Springer
Burgess	Harper	Meeks	Starnes
Cherner	Harris	Merrill	Steagall
Collier	Headley	Money	Stubbs
Collins (C)	Holman	Nettles	Tuck
Collins (W)	Jackson (F)	Neville	Waggoner
Culver	Jackson (T)	Owen (Baldwin)	Williams
Dill	Jones	Owens (W)	Wood
Dobbs	Kilgore	Owens (W.E.)	Wright
Doss	Laxson	Pearson	Yeilding
Downing	Lemley	Pennington	Young
Drake	Lybrand		—70

And the bill:

H. 1156 (with amendment). To amend further the act approved July 7, 1965 providing for the creation of a county license department in counties having a population of not less than 115,000 nor more than 165,000 according to the 1960 or subsequent federal decennial census, electing to come under the provisions of said Act (Act 103, S. 222, Regular Session, 1965) by providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Strike out Section 5 in its entirety and insert in lieu thereof the following:

Section 5. This Act shall become effective on the first Monday after the second Tuesday in January 1971.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgess	Collins (W)
Agee	Bowers	Cherner	Cook (Coffee)
Bassett	Brannan	Collier	Culver
Beck	Brassell	Collins (C)	Dill

Dobbs	Headley	McElhaney	Robertson
Doss	Holman	Meade	Shumate
Downing	Jackson (F)	Meeks	Slate
Drake	Jackson (T)	Merrill	Snell
Ellis	Jones	Money	Springer
Fine	Kilgore	Nettles	Starnes
Foshee	Laxson	Neville	Steagall
Gafford	Lemley	Owen (Baldwin)	Tuck
Garrett	Lybrand	Owens (W)	Waggoner
Graham	Lyons	Owens (W.E.)	Williams
Grainger	Malone	Pearson	Wood
Grayson	Marr	Pennington	Wright
Hain	Mays	Perloff	Yeilding
Harper	McDonald	Pruitt	Young
Harris			

—73

And the bill, H. 1156, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lybrand	Pearson
Agee	Foshee	Lyons	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Garrett	Marr	Robertson
Berryman (W)	Graham	Mays	Shumate
Bowers	Grainger	McCorquodale	Snell
Brannan	Grayson	McDonald	Springer
Brassell	Hain	McElhaney	Starnes
Cherner	Harper	McLain	Steagall
Collier	Headley	Meeks	Stembridge
Collins (C)	Holman	Merrill	Stubbs
Collins (W)	Jackson (F)	Money	Tuck
Cook (Coffee)	Jackson (T)	Nettles	Williams
Culver	Jones	Neville	Wood
Dill	Kilgore	Owen (Baldwin)	Wright
Dobbs	Laxson	Owens (W)	Yeilding
Doss	Lemley	Owens (W.E.)	Young
Downing			

—69

And the bill:

H. 1158. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000 according to the last federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Doss
Agee	Brassell	Cook (Coffee)	Downing
Bassett	Burgess	Cook (Jefferson)	Ellis
Beck	Cherner	Culver	Fine
Berryman (W)	Collier	Dill	Foshee
Bowers	Collins (C)	Dobbs	Gafford

Garrett	Lemley	Money	Snell
Graham	Lybrand	Nettles	Springer
Grainger	Lyons	Neville	Starnes
Grayson	Malone	Owen (Baldwin)	Steagall
Hain	Marr	Owens (W)	Stembridge
Harper	Mathews	Owens (W.E.)	Stubbs
Headley	Mays	Pearson	Tuck
Holman	McCorquodale	Pennington	Waggoner
House	McDonald	Perloff	Williams
Jackson (F)	McElhaney	Pruitt	Wood
Jackson (T)	McLain	Robertson	Wright
Jones	Meade	Shumate	Yeilding
Kilgore	Meeks	Slate	Young
Laxson	Merrill		

—78

And the bill:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones	Pennington
Agee	Downing	Kilgore	Pruitt
Bassett	Drake	Laxson	Robertson
Beck	Ellis	Lemley	Shumate
Berryman (W)	Fine	Lybrand	Slate
Blanton	Foshee	Lyons	Smith
Bolton	Gafford	Malone	Snell
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McDonald	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (W)	Harris	Meade	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Holman	Merrill	Wood
Dill	Jackson (F)	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Pearson	Yeilding

—76

And the bill:

H. 18. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 17.

Yeas:

Mr. Speaker	Bolton	Brassell	Collins (C)
Berryman (W)	Bowers	Burgess	Cook (Coffee)
Blanton	Brannan	Collier	Cook (Jefferson)

Culver	Holman	Mays	Robertson
Dill	House	McCorquodale	Shumate
Dobbs	Jackson (F)	Meade	Snell
Downing	Jackson (T)	Meeks	Springer
Drake	Jones	Melton	Starnes
Fine	Laxson	Merrill	Steagall
Foshee	Lemley	Nettles	Stembridge
Graham	Lybrand	Owens (W)	Tuck
Harper	Lyons	Pennington	Weeks
Harris	Malone	Perloff	Williams
Headley	Mathews	Pruitt	Wood
Holladay			

—57

Nays:

Messrs.:	Doss	Hain	Slate
Beck	Garrett	Marr	Smith
Brown	Gloor	McDonald	Stubbs
Cherner	Grainger	McLain	Wright
Collins (W)	Grayson		

—17

MOTION TO BRING UP H. 464

On motion of Mr. Ellis, the rules were suspended and permission granted to bring up the bill, H. 464, out of order.

Yeas 73; Nays 2.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pruitt
Agee	Doss	Jones	Robertson
Bank	Downing	Kilgore	Sessions
Beck	Drake	Laxson	Shumate
Berryman (W)	Ellis	Lemley	Slate
Blanton	Fine	Lybrand	Smith
Bolton	Foshee	Marr	Snell
Bowers	Garrett	Mays	Springer
Brannan	Graham	McCorquodale	Starnes
Brassell	Grainger	McDonald	Steagall
Brown	Grayson	Meeks	Stubbs
Burgess	Hain	Melton	Tuck
Collier	Harper	Merrill	Waggoner
Collins (C)	Harris	Nettles	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Holman	Owens (W)	Wood
Cook (Jefferson)	House	Pennington	Wright
Culver	Jackson (F)	Perloff	Yeilding
Dill			

—73

Nays: Messrs. Bassett and Hobbie.

—2

And the bill:

H. 464. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 3.

Yeas:

Messrs.:	Dobbs	Jackson (T)	Pennington
Agee	Doss	Jones	Perloff
Bank	Downing	Kilgore	Pruitt
Bassett	Drake	Laxson	Robertson
Beck	Ellis	Lemley	Shumate
Berryman (W)	Fine	Lybrand	Slate
Blanton	Foshee	Lyons	Smith
Bolton	Gafford	Malone	Snell
Brannan	Garrett	Marr	Springer
Brassell	Gloor	Mathews	Starnes
Brown	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stubbs
Cherner	Grayson	McDonald	Tuck
Collier	Hain	Meeks	Waggoner
Collins (C)	Harper	Melton	Weeks
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver	Holman	Pearson	Young
Dill	Jackson (F)		

—81

Nays: Mr. Speaker, House and Stembridge

—3

And the bill:

H. 811. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Was read a third time at length and passed, and ordered sent forth-
with to the Senate without engrossment.

Yeas 76; Nay 1.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Agee	Drake	Jones	Owens (W)
Bank	Ellis	Kilgore	Pearson
Beck	Fine	Lemley	Pennington
Berryman (W)	Foshee	Lybrand	Perloff
Blanton	Gafford	Lyons	Pruitt
Bolton	Garrett	Malone	Robertson
Bowers	Gloor	Marr	Slate
Brassell	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Cameron	Hain	McCorquodale	Starnes
Collier	Harper	McDonald	Stubbs
Collins (C)	Harris	McLain	Tuck
Collins (W)	Headley	Meade	Waggoner
Cook (Coffee)	Higginbotham	Meeks	Weeks
Cook (Jefferson)	Hobbie	Melton	Wood
Culver	Holman	Merrill	Wright
Dill	House	Nettles	Yeilding
Doss	Jackson (F)	Neville	Young

—76

Nay: Mr. Williams

—1

MOTION TO BRING UP H. 345 LOST

The motion of Mr. Bank to suspend the rules and bring up the bill,
H. 345, out of order, was lost.

Yeas 36; Nays 29.

Yeas:

Mr. Speaker	Culver	Harper	Robertson
Bank	Dobbs	House	Shumate
Bassett	Downing	Jones	Smith
Berryman (W)	Drake	Marr	Starnes
Brassell	Fine	McElhanev	Steagall
Brown	Garrett	Melton	Stembridge
Burgess	Graham	Money	Stubbs
Cook (Coffee)	Grainger	Owen (Baldwin)	Weeks
Cook (Jefferson)	Grayson	Perloff	Wood

—36

Nays:

Messrs.:	Higginbotham	Mathews	Neville
Beck	Holladay	Mays	Owens (W)
Cherner	Jackson (F)	McDonald	Pruitt
Collier	Jackson (T)	McLain	Springer
Collins (C)	Laxson	Meeks	Williams
Foshee	Lybrand	Merrill	Wright
Hain	Lyons	Nettles	Young
Harris			

—29

CO-SPONSORS ADDED ON H. 166

At the request of Messrs. Downing and Ellis, their names were
added as co-sponsors to the bill, H. 166, also the following: Messrs.

Fite, Agee, Berryman (W), Blanton, Bowers, Brassell, Brown, Cameron, Collier, Collins (C), Collins (W), Crawford, Edington, Fine, Foshee, Graham, Grainger, Grayson, Hain, Harris, Headley, Higginbotham, Hobbie, Holman, Jackson (F), Jones, Laxson, Lyons, Malone, Marr, Mathews, Mays, McDonald, Meeks, Melton, Merrill, Nettles, Neville, Owens (W), Perloff, Pruitt, Robertson, Sessions, Slate, Smith, Snell, Springer, Starnes, Stenbridge, Tuck, Waggoner, Weeks, Williams, Wood.

And the bill:

H. 166. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 7.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W)
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Robertson
Berryman (W)	Garrett	Malone	Sessions
Blanton	Graham	Marr	Slate
Bowers	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McDonald	Springer
Cameron	Harper	McLain	Starnes
Collier	Harris	Meade	Stenbridge
Collins (C)	Headley	Meeks	Tuck
Collins (W)	Higginbotham	Melton	Waggoner
Cook (Coffee)	Hobbie	Merrill	Weeks
Crawford	Holman	Nettles	Williams
Culver	Jackson (F)	Neville	Wood
Downing	Jones	Owen (Baldwin)	Young
Drake			

—69

Nays:

Messrs.:	Dill	Gloor	Wright
Cherner	Gafford	Jackson (T)	Yeilding

—7

And the bill:

H. 21 (with substitute). To amend Code of Alabama 1940, Title 17, Section 45, requiring certain information to be furnished to boards of registrars, so as to require the state registrar of vital statistics to furnish certain monthly death reports to such boards.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Constitution and Elections, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 17, Section 45, requiring certain information to be furnished to boards of registrars, so as to

require the state registrar of vital statistics to furnish certain monthly death reports to such boards; to provide for identification information on all such reports; and to provide for enforcement of this act and Section 15 (2), Title 17, Code of Alabama, 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 17, Section 45, relating to information required to be furnished to boards of registrars is amended to read as follows:

"Section 45. In addition to all other duties now required by law, the state registrar of vital statistics shall furnish to each county board of registrars a monthly report of the deaths of all residents of such county who were of legal voting age or over, showing the full name, date of birth, race and sex of each such person for purposes of identification.

"In addition to all other duties now required by law, the probate judges of the several counties of this state shall furnish to the boards of registrars of their respective counties, once each month, a list of all resident of the county, of legal voting age or over, who have been declared insane by inquisition of lunacy, showing full name, date of birth, race and sex of each such person for purposes of identification.

"In addition to all other duties required by law, the clerks of the circuit courts of this state, shall furnish to the board of registrars of their respective counties, once each month, a list of all residents who have been convicted of any offense mentioned in Section 182 of the Constitution of 1901, showing full name, date of birth, race and sex of each such person for purposes of identification.

"It shall be mandatory upon the state registrar of vital statistics, the judges of probate, or the court wherein said convictions occur to obtain the information required herein. Each board of registrars shall report at the end of each month to the governor or his representative whether or not such reports as herein provided for and as provided for by Section 15 (2), Title 17, Code of Alabama, 1940, as amended, were filed and whether or not they included the identification information herein provided to be given, and all such reports received shall be retained by the registrars as a permanent record. Upon failure of any person or judge of any court to make such reports as required herein or under any law of the state requiring reports to boards of registrars, the Governor or his representative shall notify such person or judge of such court of the requirements of state law and shall give 30 days notice to file such report and, if upon expiration of such notice the report has not been filed, one copy to the board of registrars and one copy to the Governor or his representative, then a motion for mandamus or other proceedings shall be filed in a court of competent jurisdiction along with such action as may be required to result in an order for payment of a penalty of \$100 for each such report not filed after 30 days notice, such penalty to revert to the Governor's fund or the fund of his designated representative agency to be used for expenses of carrying out the provisions of this act."

Section 2. This act shall become effective on the first day of the month next following the date of its enactment.

And the substitute was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Neville
Agee	Downing	Jackson (F)	Owen (Baldwin)
Bank	Drake	Jones	Owens (W)
Bassett	Edington	Kilgore	Pearson
Beck	Ellis	Laxson	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Foshee	Lybrand	Robertson
Bowers	Gafford	Lyons	Shumate
Brassell	Garrett	Malone	Slate
Brown	Graham	Marr	Snell
Cameron	Grainger	Mathews	Springer
Cherner	Grayson	Mays	Starnes
Collier	Hain	McCorquodale	Steagall
Collins (C)	Harper	McDonald	Stembridge
Collins (W)	Harris	McLain	Stubbs
Cook (Coffee)	Headley	Meade	Weeks
Crawford	Hobbie	Meeks	Williams
Culver	Holladay	Melton	Wright
Dill	Holman	Merrill	Young

—76

And the bill, H. 21, as thus amended:

To amend Code of Alabama 1940, Title 17, Section 45, requiring certain information to be furnished to boards of registrars, so as to require the state registrar of vital statistics to furnish certain monthly death reports to such boards; to provide for identification information on all such reports; and to provide for enforcement of this act and Section 15 (2), Title 17, Code of Alabama, 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Kilgore	Pearson
Bank	Edington	Laxson	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Shumate
Blanton	Garrett	Marr	Slate
Bowers	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Steagall
Cherner	Harper	McLain	Stembridge
Collier	Harris	Meade	Stubbs
Collins (W)	Headley	Meeks	Weeks
Cook (Coffee)	Hobbie	Melton	Williams
Crawford	Holladay	Merrill	Wood
Culver	Holman	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs			

—73

MOTION TO BRING UP H. 562

On motion of Mr. Smith, the rules were suspended and permission granted for the bill, H. 562, to be brought up out of order.

Yeas 62; Nays 13.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Bassett	Drake	Jackson (F)	Perloff
Beck	Edington	Jones	Robertson
Berryman (W)	Ellis	Lybrand	Sessions
Blanton	Fine	Marr	Shumate
Bowers	Foshee	Mathews	Smith
Brannan	Graham	Mays	Snell
Brassell	Grainger	McLain	Springer
Brown	Grayson	Meade	Starnes
Cameron	Hain	Meeks	Steagall
Collier	Harper	Melton	Stembridge
Collins (C)	Harris	Merrill	Stubbs
Collins (W)	Headley	Neville	Weeks
Cook (Coffee)	Hobbie	Owens (W)	Yeilding
Culver	Holladay	Pearson	Young
Dill	Holman		

—62

Nays:

Messrs.:	Downing	Jackson (T)	Malone
Cherner	Gafford	Lemley	Nettles
Cook (Jefferson)	Garrett	Lyons	Wright
Crawford	Gloor		

—13

And the bill:

H. 562. To designate marble as the official rock of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Pearson
Bank	Ellis	Jones	Pennington
Bassett	Fine	Kilgore	Perloff
Beck	Foshee	Laxson	Robertson
Berryman (W)	Gafford	Lybrand	Sessions
Blanton	Garrett	Lyons	Shumate
Brannan	Gloor	Malone	Snell
Brassell	Graham	Marr	Springer
Brown	Grainger	Mathews	Starnes
Cameron	Grayson	Mays	Steagall
Cherner	Hain	McCorquodale	Stembridge
Collier	Harper	McDonald	Stubbs
Collins (C)	Harris	McLain	Tuck
Cook (Jefferson)	Headley	Meade	Weeks
Crawford	Hobbie	Meeks	Wood
Culver	Holladay	Melton	Wright
Dill	Holman	Merrill	Yeilding
Dobbs	House	Neville	Young
Downing			

—77

UNANIMOUS CONSENT GRANTED

At the request of Mr. Gafford, unanimous consent was granted that the Journal show he would have voted Nay on the bill, H. 18, had he been in the House chambers.

MOTION TO BRING UP H. 816

On motion of Mr. Marr, the rules were suspended and permission granted to bring up out of order the bill, H. 816.

Yeas 56; Nays 11.

Yeas:

Mr. Speaker	Dobbs	Jones	Pennington
Bassett	Downing	Lemley	Perloff
Beck	Drake	Lyons	Pruitt
Berryman (W)	Edington	Malone	Robertson
Bowers	Fine	Marr	Sessions
Brannan	Garrett	Mays	Shumate
Brassell	Graham	McDonald	Slate
Brown	Grainger	Meade	Snell
Cameron	Grayson	Melton	Starnes
Collier	Hain	Merrill	Steagall
Collins (W)	Harper	Money	Stubbs
Cook (Coffee)	Holman	Neville	Weeks
Culver	House	Owens (W)	Wood
Dill	Jackson (F)	Pearson	Young

—56

Nays:

Messrs.:	Gafford	Holladay	Meeks
Cherner	Gloor	Jackson (T)	Nettles
Crawford	Harris	McCorquodale	Wright

—11

And the bill:

H. 816 (with amendment). To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend H. B. 816 as follows:

In Section 1 (c), second line, strike the words "a physician designated or appointed as a" and insert in lieu thereof the words, "the designated"

Also, strike entire Section 3 and substitute in lieu therefor the following:

"Section 3. Discharge of mentally retarded individuals admitted voluntarily. The superintendent of any institution shall discharge any mentally retarded individual admitted voluntarily whose institutionalization, care, training, and treatment he deems to be no longer advisable. He may also discharge any mentally retarded individual admitted voluntarily if to do so would, in his judgment, contribute to the most effective use of the institution in the institutionalization, care, training, and treatment of mentally retarded individuals; provided, however, that in no event shall such individual be discharged if in the judgment of the superintendent of such institution such discharge would be harmful to the mentally retarded individual or others."

Also, in Section 8, line 5 strike the word "hospitalization" and insert in lieu thereof the word "institutionalization",

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Agee	Edington	Laxson	Pennington
Bassett	Ellis	Lemley	Perloff
Beck	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Gafford	Malone	Sessions
Bowers	Garrett	Marr	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Snell
Brown	Grainger	McDonald	Springer
Cameron	Grayson	McLain	Starnes
Cherner	Hain	Meade	Steagall
Collier	Harper	Meeks	Stembridge
Collins (C)	Harris	Melton	Stubbs
Cook (Coffee)	Headley	Merrill	Weeks
Crawford	Higginbotham	Money	Williams
Culver	Holman	Nettles	Wood
Dill	House	Neville	Wright
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Doss	Jackson (T)	Owens (W)	Young
Downing			

—81

And the bill, H. 816, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Pruitt
Blanton	Foshee	Lyons	Robertson
Bowers	Gafford	Malone	Sessions
Brannan	Garrett	Marr	Shumate
Brassell	Gloor	Mays	Slate
Brown	Graham	McCorquodale	Snell
Cameron	Grainger	McDonald	Starnes
Cherner	Grayson	McLain	Steagall
Collier	Hain	Meade	Stembridge
Collins (C)	Harper	Meeks	Stubbs
Cook (Coffee)	Harris	Melton	Weeks
Crawford	Headley	Merrill	Williams
Culver	Holman	Money	Wood
Dill	House	Nettles	Wright
Dobbs	Jackson (F)	Neville	Yeilding
Doss	Jackson (T)	Owen (Baldwin)	Young

—80

MOTION TO RECESS LOST

The motion of Mr. Drake that the House recess for lunch until 1:30 o'clock P. M., was lost.

Yeas 26; Nays 59.

Yeas:

Mr. Speaker	Fine	Jones	Neville
Beck	Gloor	Laxson	Pennington
Blanton	Hain	Lybrand	Shumate
Brassell	Harper	Malone	Snell
Dill	Headley	Meade	Starnes
Drake	Higginbotham	Merrill	Tuck
Ellis	Holladay		

—26

Nays:

Messrs.:	Crawford	Kilgore	Pruitt
Agee	Culver	Lyons	Robertson
Bank	Dobbs	Marr	Sessions
Bassett	Downing	Mathews	Slate
Berryman (W)	Edington	Mays	Smith
Bowers	Foshee	McCorquodale	Springer
Brannan	Gafford	McDonald	Steagall
Brown	Garrett	McLain	Stembridge
Cameron	Grainger	Meeks	Stubbs
Cherner	Grayson	Melton	Weeks
Collier	Harris	Money	Williams
Collins (C)	Holman	Nettles	Wood
Collins (W)	House	Owens (W)	Wright
Cook (Coffee)	Jackson (F)	Pearson	Yeilding
Cook (Jefferson)	Jackson (T)	Perloff	Young

—59

MOTION TO BRING UP H. 956 LOST

The motion of Mr. Cameron to suspend the rules and bring up the bill, H. 956, out of order, was lost.

Yeas 47; Nays 20.

Yeas:

Mr. Speaker	Culver	Harris	Perloff
Bassett	Dill	Higginbotham	Pruitt
Beck	Dobbs	Holladay	Robertson
Berryman (W)	Doss	Holman	Shumate
Blanton	Ellis	Laxson	Smith
Bolton	Fine	Lemley	Starnes
Brannan	Garrett	Marr	Steagall
Brassell	Graham	Mays	Stubbs
Burgess	Grainger	Meeks	Weeks
Cameron	Grayson	Merrill	Williams
Collier	Hain	Owens (W)	Young
Cook (Coffee)	Harper	Pearson	

—47

Nays:

Messrs.:	Downing	Jackson (F)	Nettles
Agee	Drake	Jackson (T)	Neville
Brown	Foshee	Lyons	Stembridge
Cherner	Gafford	Malone	Wood
Cook (Jefferson)	Gloor	McCorquodale	Yeilding
Crawford			

—20

MOTION TO RECESS LOST

The motion of Mr. Merrill that the House recess until 1:30 o'clock P. M., was lost.

Yeas 40; Nays 44.

Yeas:

Mr. Speaker	Dill	Headley	Neville
Bank	Dobbs	Higginbotham	Owen (Baldwin)
Bassett	Doss	Holladay	Owens (W)
Beck	Drake	Jones	Pruitt
Blanton	Ellis	Lemley	Shumate
Brassell	Fine	Lybrand	Slate
Cameron	Grainger	Marr	Springer
Collier	Hain	Mays	Tuck
Collins (C)	Harper	McDonald	Weeks
Collins (W)	Harris	Merrill	Williams

—40

Nays:

Messrs.:	Edington	Kilgore	Robertson
Agee	Foshee	Laxson	Sessions
Berryman (W)	Gafford	Lyons	Smith
Bowers	Garrett	Malone	Steagall
Brannan	Gloor	Mathews	Stembridge
Brown	Graham	McCorquodale	Stubbs
Cherner	Grayson	Meeks	Waggoner
Cook (Coffee)	Holman	Melton	Wood
Cook (Jefferson)	House	Nettles	Wright
Crawford	Jackson (F)	Pearson	Yeilding
Culver	Jackson (T)	Perloff	Young
Downing			

—44

COMMITTEE APPOINTED

The Speaker appointed as a Committee of the House to escort Dr. Wernher Von Braun to a joint session Messrs. Collins (C), Grainger and Ellis.

MOTION TO BRING UP H. 1002 LOST

The motion of Mr. McLain to suspend the rules and bring up the bill, H. 1002, out of order, was lost.

Yeas 42; Nays 25.

Yeas:

Mr. Speaker	Dill	Laxson	Perloff
Bank	Dobbs	Lemley	Pruitt
Beck	Doss	Mays	Shumate
Blanton	Edington	McDonald	Smith
Bolton	Fine	McLain	Starnes
Brannan	Garrett	Meeks	Steagall
Brassell	Graham	Melton	Stubbs
Brown	Grainger	Money	Weeks
Cameron	Grayson	Neville	Williams
Collier	Hain	Owens (W)	Yeilding
Cook (Coffee)	Holman		

—42

Nays:

Messrs.:	Culver	House	Marr
Agee	Downing	Jackson (F)	McCorquodale
Berryman (W)	Foshee	Jackson (T)	Pearson
Cherner	Gafford	Kilgore	Robertson
Collins (W)	Gloor	Lyons	Wood
Cook (Jefferson)	Harris	Malone	Wright
Crawford	Hobbie		

—25

MOTION TO BRING UP H. 211 LOST

The motion of Mr. Lybrand to suspend the rules and bring up the bill, H. 211, was lost.

Yeas 54; Nays 23.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Agee	Edington	Lemley	Pruitt
Bank	Ellis	Lybrand	Sessions
Bassett	Fine	Marr	Shumate
Beck	Foshee	Mays	Slate
Berryman (W)	Grainger	McDonald	Smith
Blanton	Hain	McLain	Snell
Brannan	Harper	Meeks	Springer
Brassell	Headley	Melton	Starnes
Brown	Higginbotham	Merrill	Steagall
Cameron	Holladay	Money	Stubbs
Collier	Holman	Neville	Williams
Collins (C)	Jackson (F)	Owen (Baldwin)	Young
Dobbs	Jones		

—54

Nays:

Messrs.:	Gloor	Lyons	Stembridge
Cherner	Grayson	Malone	Waggoner
Cook (Jefferson)	Harris	McCorquodale	Weeks
Dill	House	Nettles	Wood
Downing	Jackson (T)	Owens (W)	Wright
Gafford	Kilgore	Robertson	Yeilding

—23

And the bill:

H. 841. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dobbs	Graham
Agee	Brown	Downing	Grainger
Bank	Cherner	Drake	Grayson
Bassett	Collier	Edington	Hain
Beck	Collins (C)	Ellis	Harper
Berryman (W)	Cook (Coffee)	Fine	Harris
Blanton	Crawford	Foshee	Headley
Brannan	Culver	Gafford	Higginbotham

Holladay	Mays	Owens (W)	Steagall
House	McCorquodale	Pearson	Stembridge
Jackson (F)	McDonald	Pruitt	Stubbs
Jones	Meade	Robertson	Waggoner
Laxson	Meeks	Sessions	Weeks
Lemley	Melton	Shumate	Williams
Lybrand	Merrill	Slate	Wood
Lyons	Nettles	Smith	Wright
Malone	Neville	Springer	Yeilding
Marr	Owen (Baldwin)	Starnes	Young
Mathews			

—73

And the bill:

H. 842. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Agee	Doss	Jones	Owens (W)
Bank	Downing	Kilgore	Pearson
Bassett	Drake	Laxson	Pruitt
Beck	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lybrand	Sessions
Blanton	Fine	Lyons	Shumate
Bowers	Foshee	Malone	Slate
Brannan	Gafford	Marr	Smith
Brassell	Garrett	Mathews	Springer
Brown	Graham	Mays	Starnes
Cameron	Grainger	McCorquodale	Steagall
Cherner	Grayson	McDonald	Stembridge
Collier	Hain	McLain	Stubbs
Collins (C)	Harper	Meade	Weeks
Collins (W)	Harris	Meeks	Williams
Cook (Coffee)	Headley	Melton	Wood
Cook (Jefferson)	Holladay	Merrill	Wright
Crawford	House	Nettles	Yeilding
Culver	Jackson (F)	Neville	Young

—80

H. 248 AND H. 247 INDEFINITELY POSTPONED

On the motion of Mr. Hain, the bills, H. 248 and H. 247, were indefinitely postponed.

H. 324 AND H. 325 INDEFINITELY POSTPONED

On motion of Mr. Holladay, the bills, H. 324 and H. 325, were indefinitely postponed.

RECESS

On motion of Mr. Pennington, the House recessed until 1:30 o'clock P.M.

REGULAR SESSION

1641

Yeas 48; Nays 39.

Yeas:

Mr. Speaker	Crane	Holladay	Neville
Bank	Dill	Jones	Pennington
Beck	Dobbs	Lemley	Pruitt
Berryman (W)	Doss	Lybrand	Shumate
Blanton	Downing	Malone	Slate
Brassell	Fine	Marr	Smith
Brown	Hain	Mays	Snell
Burgess	Harper	McDonald	Springer
Cameron	Harris	McElhaney	Weeks
Collier	Headley	Meeks	Williams
Collins (C)	Higginbotham	Merrill	Wright
Collins (W)	Hobbie	Money	Young

—48

Nays:

Messrs.:	Foshee	Jackson (T)	Pearson
Agee	Gafford	Kilgore	Perloff
Bowers	Garrett	Laxson	Robertson
Brannan	Graham	Lyons	Sessions
Cherner	Grainger	Mathews	Steagall
Cook (Coffee)	Grayson	McCorquodale	Stembridge
Cook (Jefferson)	Hill	McLain	Stubbs
Crawford	Holman	Melton	Waggoner
Culver	House	Nettles	Wood
Edington	Jackson (F)	Owens (W)	Yeilding

—39

AFTERNOON SESSION

The hour of 1:30 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Young:

H. J. R. 107. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the committee created by Act No. 219, 1967 Special Session is hereby recreated and reconstituted effective on the date of passage of this resolution, to terminate on the first legislative day of the 1971 regular legislative session. Members of the committee shall serve until the committee terminates.

On motion of Mr. Young, the rules were suspended and H. J. R. 107 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 375. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955, through December 31, 1963, and under certain condi-

tions to the wives and widows of persons who served honorably during this period.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Pruitt
Adwell	Doss	Jackson (F)	Robertson
Agee	Downing	Kilgore	Sessions
Bank	Drake	Lemley	Shumate
Berryman (W)	Edington	Lyons	Slate
Blanton	Ellis	Malone	Snell
Bowers	Fine	Marr	Springer
Brannan	Foshee	Mathews	Steagall
Brasseil	Garrett	Mays	Stembridge
Brown	Graham	McCorquodale	Stubbs
Burgess	Grayson	Meeks	Waggoner
Cherner	Hain	Melton	Weeks
Collier	Harper	Nettles	Williams
Collins (W)	Harris	Owen (Baldwin)	Wood
Cook (Jefferson)	Headley	Owens (W)	Yeilding
Crawford	Higginbotham	Pearson	Young
Culver			

—65

And the bill:

H. 798 (with substitute). To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas; and to authorize and provide for the payment, in the discretion of the Governor, to municipalities in which oil or gas wells are located or a portion of the severance tax levied by said Act No. 2.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on State Administration, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on crude oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, treating, processing, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas produced in the State of Alabama; and to authorize and provide for the payment to municipalities in which oil

or gas wells are located of a portion of the severance tax levied by said Act No. 2.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2 and 8 of Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on crude oil, gas and other hydrocarbons, are hereby amended to read as follows:

"Section 2. (a) There is hereby levied, to be collected hereafter, as herein provided, annual privilege taxes upon every person engaging or continuing to engage within the State of Alabama in the business of producing or severing crude oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters, of the State for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of four percentum (4%) of the gross value of said crude oil or gas at the point of production. (b) The tax is hereby levied upon the basis of the entire production in this State, including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the State; and the tax shall accrue at the time such crude oil or gas is severed from the soil or the waters, or from beneath the soil or the waters, and in its natural, unrefined, or unmanufactured condition. (c) A city, town or municipality of the State of Alabama shall not establish, levy, impose or collect as a condition of doing business or otherwise, any tax, fee, license or charge, whatsoever, directly or indirectly, on or with respect to the production, treating, processing, ownership, sale, storage, purchase, marketing, or transportation of any crude oil or natural gas produced in the State of Alabama and on which severance taxes have been paid to the State of Alabama, or upon the business of producing, treating, processing, owning, selling, buying, storing, marketing or transporting such crude oil or natural gas or upon the ownership, operation or maintenance of plants, facilities, machinery, pipe lines, gathering lines or any equipment, whatsoever, which are, or may be, necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing, or transportation of such crude oil or natural gas. (d) Nothing contained herein shall be deemed to limit or to enlarge the authority of a city, town or municipality to levy taxes or licenses on suppliers of goods or services to those persons engaging in the business of producing, treating, processing, owning, selling, buying, storing, marketing or transporting such crude oil or natural gas."

"Section 8. The net amount of all taxes herein levied and collected by the Department, after the same has been certified into the State Treasury, shall be allocated and distributed by the Comptroller to the credit of the General Fund of the State and to the county in which the crude oil or gas was produced and to the municipalities therein in the proportion set out in the following schedule: (a) Fifty per cent (50%) of the first one hundred and fifty thousand dollars (\$150,000.00), or any part thereof, collected per year under the provisions of this Act to the State, forty-two and one-half per cent (42 ½%) to the county, and seven and one-half per cent (7 ½%) to municipalities therein on a population basis; (b) Eighty-four percentum (84%) of all additional sums collected per year under the provisions of this Act to the State, fourteen percentum (14%) to the county, and two percentum (2%) to municipalities therein on a population basis. (c) Six percentum (6%) of all taxes herein levied and collected on crude oil and gas produced from oil or gas wells located within the corporate limits or the police jurisdiction of any municipality shall be allocated and distributed to each such municipality to reimburse such municipi-

pality for the costs of providing such municipal services as are made necessary by reason of the production of crude oil and gas from wells located within the corporate limits or the police jurisdiction of such municipality; such reimbursements shall be paid out of that part of the taxes herein levied and collected which are hereinabove allocated to the State. All funds received under the provisions of this Act, as herein provided, shall be disbursed by the Comptroller on or before the 25th day of the month during which it is paid into the Treasury."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO INDEFINITELY POSTPONE LOST

The motion of Mr. McLain that the bill, H. 798, and pending substitute be indefinitely postponed, was lost.

Yeas 20; Nays 51.

Yeas:

Messrs.:	Foshee	Lemley	Springer
Agee	Gafford	Meeks	Steagall
Bank	Grainger	Money	Stembridge
Brassell	Jones	Neville	Turnham
Cherner	Laxson	Robertson	Wright
Crawford			

—20

Nays:

Mr. Speaker	Edington	Jackson (T)	Perloff
Berryman (W)	Ellis	Lybrand	Pruitt
Blanton	Garrett	Lyons	Shumate
Bowers	Gloor	Malone	Slate
Brannan	Grayson	Marr	Smith
Burgess	Hain	Mathews	Snell
Collins (C)	Harper	McDonald	Stubbs
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Headley	Merrill	Weeks
Dill	Higginbotham	Nettles	Wood
Doss	Holman	Owen (Baldwin)	Yeilding
Downing	House	Owens (W)	Young
Drake	Jackson (F)	Pearson	

—51

And the substitute reported by the Standing Committee on State Administration to the bill, H. 798, was adopted.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker	Downing	House	Neville
Bassett	Drake	Jackson (F)	Owen (Baldwin)
Blanton	Edington	Jackson (T)	Owens (W)
Bowers	Ellis	Lybrand	Perloff
Brannan	Foshee	Lyons	Pruitt
Brassell	Garrett	Malone	Shumate
Burgess	Gloor	Marr	Smith
Cameron	Graham	Mathews	Snell
Collins (C)	Hain	McCorquodale	Springer
Collins (W)	Harper	McDonald	Stubbs
Cook (Coffee)	Harris	Melton	Waggoner
Dill	Headley	Merrill	Wood
Dobbs	Higginbotham	Money	Yeilding
Doss	Holman	Nettles	

—55

Nays:

Messrs.:	Fine	Lemley	Slate
Agee	Gafford	McLain	Steagall
Bank	Grainger	Meeks	Stembridge
Berryman (W)	Grayson	Pearson	Turnham
Cherner	Jones	Robertson	Wright
Crawford	Laxson	Sessions	Young
Culver			

—24

Mr. Downing offered the following amendment to the bill, H. 798, as amended:

Amend House Bill 798 by adding at the end of Section 2 the following:

"Provided however, that the amount currently being received by each of the municipalities referred to above shall not be diminished in any way by any provision contained herein as long as the production of oil and gas remains the same or increases. If said production decreases, the amount received by said municipalities may decrease in proportion thereto."

And the amendment was adopted.

Yeas 70; Nays 5.

Yeas:

Mr. Speaker	Edington	Jones	Owens (W)
Agee	Ellis	Kilgore	Pearson
Bassett	Fine	Lemley	Perloff
Berryman (W)	Foshee	Lybrand	Pruitt
Blanton	Gafford	Lyons	Sessions
Brannan	Garrett	Malone	Shumate
Brassell	Gloor	Marr	Slate
Brown	Graham	Mathews	Smith
Burgess	Grayson	McCorquodale	Snell
Cameron	Hain	McDonald	Springer
Cherner	Harper	Meeks	Stubbs
Collins (W)	Harris	Melton	Turnham
Cook (Coffee)	Headley	Merrill	Waggoner
Dill	Higginbotham	Money	Wood
Dobbs	Holman	Nettles	Wright
Doss	House	Neville	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	Young
Drake	Jackson (T)		

—70

Nays:

Messrs.:	Grainger	McLain	Robertson
Crawford	Laxson		

—5

And the bill, H. 798, as thus amended:

To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on crude oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, treating, processing, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transporta-

tion of crude oil or natural gas produced in the State of Alabama; and to authorize and provide for the payment to municipalities in which oil or gas wells are located of a portion of the severance tax levied by said Act No. 2.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 55; Nays 24.

Yeas:

Messrs.:	Drake	House	Owens (W)
Blanton	Edington	Jackson (F)	Perloff
Bowers	Ellis	Jackson (T)	Pruitt
Brannan	Foshee	Kilgore	Sessions
Brassell	Garrett	Lybrand	Shumate
Burgess	Gloor	Lyons	Slate
Cameron	Graham	Malone	Smith
Collins (C)	Grayson	Marr	Snell
Collins (W)	Hain	Mathews	Springer
Cook (Coffee)	Harper	McDonald	Stubbs
Dill	Headley	Melton	Waggoner
Dobbs	Higginbotham	Merrill	Weeks
Doss	Hobbie	Nettles	Wood
Downing	Holman	Owen (Baldwin)	Yeilding

—55

Nays:

Mr. Speaker	Culver	Laxson	Robertson
Agee	Fine	Lemley	Steagall
Berryman (W)	Gafford	McLain	Stembridge
Brown	Grainger	Meeks	Turnham
Cherner	Harris	Neville	Wright
Crawford	Jones	Pearson	Young

—24

UNANIMOUS CONSENT GRANTED

At the request of Mr. Young, unanimous consent was granted for the Journal to show he would have voted Nay on the bill, H. 18, had he been in the House chambers.

And the bill:

H. 418. To make a conditional appropriation from the Alabama special educational trust fund in the state treasury to the use of the Alabama Education Television Commission.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 4.

Yeas:

Mr. Speaker	Brown	Dobbs	Foshee
Agee	Cameron	Doss	Gafford
Bank	Cherner	Downing	Garrett
Bassett	Collins (C)	Drake	Grainger
Berryman (W)	Collins (W)	Edington	Grayson
Brannan	Culver	Ellis	Hain
Brassell	Dill	Fine	Harper

Harris	Lemley	Owen (Baldwin)	Snell
Higginbotham	Lybrand	Owens (W)	Springer
Hobbie	Marr	Pearson	Steagall
Holladay	Mays	Perloff	Stubbs
Holman	McCorquodale	Pruitt	Turnham
Jackson (F)	Melton	Shumate	Waggoner
Jones	Merrill	Slate	Weeks
Kilgore	Neville	Smith	Williams
Laxson			

—61

Nays:

Messrs.:	Malone	Robertson	Wright
Burgess			

—4

MOTION TO BRING UP H. 203 LOST

The motion of Mr. Brown to suspend the rules and bring up the bill, H. 203, out of order, was lost.

Yeas 39; Nays 26.

Yeas:

Mr. Speaker	Collins (W)	Jones	Shumate
Bank	Cook (Coffee)	Marr	Slate
Bassett	Culver	McCorquodale	Smith
Berryman (W)	Dobbs	Melton	Springer
Blanton	Downing	Merrill	Steagall
Bowers	Drake	Money	Stubbs
Brannan	Fine	Owen (Baldwin)	Weeks
Brassell	Garrett	Pearson	Williams
Brown	Grayson	Perloff	Young
Burgess	Harper	Robertson	

—39

Nays:

Messrs.:	Gafford	Kilgore	Owens (W)
Agee	Gloor	Laxson	Pruitt
Cameron	Harris	Lemley	Snell
Cherner	Higginbotham	Malone	Turnham
Collins (C)	Hobbie	Mays	Wright
Dill	Jackson (F)	Nettles	Yeilding
Foshee	Jackson (T)	Neville	

—26

And the bill:

H. 961. To prohibit the use of public state funds for the purposes of conducting courses of study in sex education in the public schools of the State of Alabama, to otherwise provide with reference to courses of study in sex education in the public schools of the State of Alabama, and to provide with respect thereto.

Was taken up.

Mr. Grayson offered the following amendment to the bill, H. 961:

In Section 2, at the end of last sentence following the words "to his successor or to the instructor of the course". Add the following: "No course of study in sex education shall be conducted below the ninth grade level."

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Agee	Doss	Jones	Perloff
Beck	Downing	Laxson	Robertson
Berryman (W)	Drake	Lyons	Sessions
Blanton	Ellis	Mays	Shumate
Bowers	Foshee	McCorquodale	Slate
Brannan	Gafford	Meade	Snell
Brassell	Garrett	Meeks	Springer
Brown	Grayson	Melton	Steagall
Burgess	Hain	Merrill	Stubbs
Cameron	Harper	Nettles	Turnham
Collier	Harris	Neville	Williams
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wood
Cook (Jefferson)	Holman	Owens (W)	Young
Dill	House		

—58

Mr. Lybrand moved that the bill, H. 961, be carried over to the twenty-sixth legislative day.

MOTION TO CARRY OVER TABLED

On motion of Mr. Grayson, the motion of Mr. Lybrand to carry over the bill was tabled.

Yeas 45; Nays 31.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Robertson
Agee	Fine	Lemley	Shumate
Blanton	Foshee	Mays	Slate
Brannan	Garrett	McCorquodale	Springer
Brassell	Grayson	Meeks	Steagall
Burgess	Hain	Melton	Stembridge
Collier	Harper	Merrill	Turnham
Cook (Jefferson)	Harris	Money	Waggoner
Culver	Headley	Owen (Baldwin)	Williams
Doss	Hobbie	Owens (W)	Yeilding
Downing	House	Pearson	Young
Drake			

—45

Nays:

Messrs.:	Dill	Kilgore	Perloff
Beck	Edington	Lybrand	Pruitt
Berryman (W)	Graham	Lyons	Sessions
Bowers	Grainger	Malone	Smith
Brown	Hill	Marr	Stubbs
Cameron	Holladay	McLain	Weeks
Collins (C)	Holman	Meade	Wood
Collins (W)	Jones	Neville	Wright

—31

Mr. Edington moved that the bill, H. 961, as amended, be carried over to the twenty-seventh legislative day.

MOTION TO CARRY OVER TABLED

On motion of Mr. Grayson, the motion of Mr. Edington to carry over the bill was tabled.

Yeas 54; Nays 27.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Pruitt
Agee	Dobbs	Laxson	Robertson
Bassett	Doss	Lemley	Shumate
Bowers	Downing	Lyons	Slate
Brannan	Drake	Marr	Steagall
Brassell	Fine	McCorquodale	Stembridge
Brown	Foshee	Meade	Stubbs
Burgess	Garrett	Melton	Turnham
Cameron	Grayson	Merrill	Weeks
Cherner	Hain	Money	Williams
Collins (W)	Harper	Owen (Baldwin)	Wood
Cook (Coffee)	Harris	Owens (W)	Yeilding
Cook (Jefferson)	Hobbie	Pearson	Young
Crawford	Holman		

—54

Nays:

Messrs.:	Gafford	Lybrand	Perloff
Beck	Graham	Malone	Sessions
Berryman (W)	Higginbotham	Mays	Smith
Blanton	Hill	McLain	Snell
Bolton	Holladay	Meeks	Springer
Collier	Jones	Nettles	Waggoner
Edington	Kilgore	Neville	Wright

—27

And the bill, H. 961, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 22.

Yeas:

Mr. Speaker	Crawford	House	Perloff
Agee	Culver	Jackson (F)	Pruitt
Bank	Dill	Jackson (T)	Robertson
Bassett	Dobbs	Lemley	Shumate
Beck	Doss	Lyons	Slate
Blanton	Downing	Marr	Starnes
Bowers	Ellis	Mays	Steagall
Brannan	Fine	McCorquodale	Stembridge
Brassell	Foshee	McDonald	Stubbs
Brown	Garrett	Meade	Turnham
Burgess	Grayson	Melton	Weeks
Cameron	Hain	Merrill	Williams
Collier	Harper	Neville	Wood
Collins (W)	Harris	Owen (Baldwin)	Yeilding
Cook (Coffee)	Hobbie	Owens (W)	Young
Cook (Jefferson)	Holman	Pearson	

—63

Nays:

Messrs.:	Gafford	Kilgore	Nettles
Berryman (W)	Graham	Laxson	Snell
Bolton	Grainger	Lybrand	Springer
Cherner	Higginbotham	Malone	Waggoner
Drake	Hill	McLain	Wright
Edington	Jones	Meeks	

—22

And the bill:

H. 260. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W)
Agee	Downing	Jones	Pearson
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Fine	Lemley	Robertson
Berryman (W)	Foshee	Lybrand	Shumate
Blanton	Garrett	Lyons	Slate
Bolton	Gloor	Malone	Snell
Brannan	Graham	Marr	Springer
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Steagall
Burgess	Harper	McDonald	Stembridge
Cameron	Harris	Meade	Stubbs
Cherner	Higginbotham	Meeks	Turnham
Collier	Hill	Melton	Waggoner
Collins (W)	Hobbie	Merrill	Weeks
Cook (Coffee)	Holladay	Nettles	Williams
Crawford	Holman	Neville	Young
Dobbs	Jackson (F)	Owen (Baldwin)	

—75

And the bill:

H. 57. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 5.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Pearson
Bank	Fine	Kilgore	Perloff
Beck	Foshee	Lemley	Pruitt
Berryman (W)	Gafford	Lybrand	Sessions
Blanton	Garrett	Lyons	Slate
Bolton	Graham	Malone	Snell
Bowers	Granger	Marr	Springer
Brannan	Grayson	Mays	Starnes
Burgess	Hain	McCorquodale	Steagall
Cameron	Harper	McDonald	Stembridge
Cherner	Harris	McLain	Stubbs
Collier	Higginbotham	Meeks	Waggoner
Collins (W)	Hill	Melton	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Culver	Holladay	Nettles	Wright
Dill	Holman	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing			

—73

Nays:

Messrs.:	Brown	Robertson	Shumate	
Brassell	Meade			—5

RECESS

On motion of Mr. Merrill, the House recessed for a Joint Session for the purpose of hearing an address by Dr. Wernher Von Braun.

HOUSE RECONVENED

The House reconvened after the Joint Session. The Speaker called the House to order.

MOTION TO BRING UP H. 458

On motion of Mr. Cherner, the rules were suspended and permission granted to bring up out of order the bill, H. 458.

Yeas 40; Nays 4.

Yeas:

Agee	Edington	Jackson (F)	Owens (W)	
Berryman (W)	Foshee	Jackson (T)	Pearson	
Brannan	Gafford	Kilgore	Perloff	
Burgess	Garrett	Lyons	Pruitt	
Collier	Graham	Malone	Smith	
Collins (W)	Grayson	McCorquodale	Springer	
Cook (Coffee)	Hain	Meeks	Steagall	
Cook (Jefferson)	Harper	Melton	Stubbs	
Dobbs	Holman	Merrill	Weeks	
Downing	House	Money	Wood	—40

Nays:

Messrs.:	Owen (Baldwin)	Robertson	Turnham	
Brown				—4

And the bill:

H. 458 (with amendment). To provide for safety inspection of bridges on public highways and streets; maintain written reports of safety inspections; posting of safe load limits for bridges; placing barricades for bridges under construction, under repair and condemned bridges; and maintaining a current inventory of all bridges on the State highway system.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Health, said Committee amendment being as follows:

Amend H. B. 458 by striking Section 6 in its entirety and renumbering Section 6 as Section 7 and Section 7 as Section 8, and adding in lieu of Section 6, the following:

Section 6. Any appropriate party within the political subdivisions consigned with this act failing to comply with the conditions set forth herein shall be guilty of a misdemeanor.

And the amendment was adopted.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Dill	Kilgore	Pearson
Agee	Dobbs	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Bolton	Gafford	Malone	Smith
Bowers	Garrett	Marr	Springer
Brannan	Graham	McCorquodale	Steagall
Burgess	Grayson	Meade	Stembridge
Cameron	Hain	Meeks	Stubbs
Cherner	Harper	Melton	Turnham
Collier	Higginbotham	Merrill	Weeks
Collins (W)	Hobbie	Money	Williams
Cook (Coffee)	Holman	Nettles	Wood
Cook (Jefferson)	House	Neville	Wright
Crane	Jackson (F)	Owen (Baldwin)	Young
Culver	Jackson (T)	Owens (W)	

—67

Nay: Mr. Brown.

—1

And the bill, H. 458, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nay 1.

Yeas:

Mr. Speaker	Edington	Lemley	Pearson
Agee	Ellis	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Gafford	Malone	Robertson
Berryman (W)	Garrett	Marr	Smith
Brannan	Graham	McCorquodale	Springer
Burgess	Harper	Meade	Steagall
Cameron	Higginbotham	Meeks	Stembridge
Cherner	Hobbie	Melton	Turnham
Collier	Holman	Merrill	Weeks
Collins (W)	House	Money	Williams
Cook (Coffee)	Jackson (F)	Nettles	Wood
Cook (Jefferson)	Jackson (T)	Neville	Wright
Culver	Kilgore	Owen (Baldwin)	Yeilding
Dill	Laxson	Owens (W)	Young
Downing			

—61

Nay: Mr. Brown.

—1

MOTION TO BRING UP H. 948 LOST

The motion of Mr. Shumate to suspend the rules and bring up the bill, H. 948, out of order, was lost.

Yeas 45; Nays 16.

Yeas:

Mr. Speaker	Burgess	Culver	Hain
Bassett	Cameron	Dobbs	Harper
Berryman (W)	Cherner	Downing	Hobbie
Bolton	Collier	Edington	Jones
Brannan	Collins (W)	Graham	Laxson
Brown	Cook (Coffee)	Grayson	Lemley

REGULAR SESSION

1653

Lybrand	Owen (Baldwin)	Robertson	Steagall
Lyons	Owens (W)	Sessions	Stubbs
Marr	Paulk	Shumate	Weeks
Merrill	Pearson	Smith	Wood
Money	Pruitt	Springer	Young
Nettles			—45

Nays:

Messrs.:	Gafford	Kilgore	Perloff
Agee	Garrett	Malone	Stembridge
Dill	Harris	McCorquodale	Turnham
Ellis	Jackson (F)	Melton	Yeilding
Foshee			—16

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until two o'clock P. M., Tuesday, August 5, 1969, was lost.

Yeas 33; Nays 45.

Yeas:

Mr. Speaker	Dill	Holman	Neville
Bassett	Downing	Kilgore	Owen (Baldwin)
Beck	Gafford	Laxson	Perloff
Blanton	Graham	Marr	Shumate
Bowers	Grayson	Mathews	Steagall
Brannan	Hain	Meade	Watkins
Brassell	Harris	Melton	Weeks
Burgess	Headley	Merrill	Wood
Collins (W)			—33

Nays:

Messrs.:	Ellis	Lybrand	Robertson
Agee	Foshee	Lyons	Sessions
Bank	Garrett	Malone	Smith
Berryman (W)	Harper	McCorquodale	Snell
Brown	Higginbotham	Meeks	Springer
Cherner	Hill	Money	Stembridge
Cook (Coffee)	Hobbie	Nettles	Stubbs
Cook (Jefferson)	House	Owens (W)	Turnham
Crane	Jackson (F)	Paulk	Waggoner
Culver	Jackson (T)	Pearson	Wright
Dobbs	Jones	Pruitt	Yeilding
Edington	Lemley		—45

MOTION TO BRING UP H. 986 LOST

The motion of Mr. Robertson to suspend the rules and bring up the bill, H. 986, out of order, was lost.

Yeas 30; Nays 36.

Yeas:

Mr. Speaker	Crane	Harper	Pearson
Bank	Culver	Hill	Robertson
Berryman (W)	Dill	Hobbie	Shumate
Brannan	Dobbs	Melton	Steagall
Brown	Edington	Money	Weeks
Burgess	Garrett	Neville	Williams
Cherner	Graham	Owens (W)	Wood
Cook (Coffee)	Grayson		—30

Nays:

Messrs.:	Harris	Lemley	Paulk
Agee	Higginbotham	Lybrand	Pruitt
Beck	Holman	Lyons	Snell
Brassell	House	Malone	Springer
Collier	Jackson (F)	McCorquodale	Stembridge
Cook (Jefferson)	Jackson (T)	McDonald	Turnham
Drake	Jones	Meade	Waggoner
Ellis	Kilgore	Merrill	Wright
Foshee	Laxson	Nettles	Yeilding
Gafford			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Money, unanimous consent was granted that he be shown as voting Yea on the bills, S. 426, H. 18, H. 811, H. 166, H. 21, H. 841, H. 842, H. 375, H. 798, H. 418, H. 961, H. 260 and H. 57, because his machine was broken.

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until two o'clock P. M., Tuesday, August 5, 1969, was lost.

Yeas 42; Nays 42.

Yeas:

Mr. Speaker	Cook (Coffee)	Headley	Merrill
Bassett	Dill	Higginbotham	Neville
Beck	Downing	Holman	Owen (Baldwin)
Berryman (W)	Drake	Kilgore	Perloff
Blanton	Fine	Laxson	Pruitt
Bowers	Gafford	Malone	Shumate
Brannan	Graham	Marr	Steagall
Brassell	Grayson	Mathews	Watkins
Burgess	Hain	Meade	Weeks
Collier	Harper	Melton	Wood
Collins (W)	Harris		

—42

Nays:

Messrs.:	Ellis	Lemley	Robertson
Agee	Foshee	Lybrand	Sessions
Brown	Garrett	Lyons	Smith
Cherner	Grainger	McCorquodale	Snell
Collins (C)	Hill	McDonald	Stembridge
Cook (Jefferson)	Hobbie	McLain	Stubbs
Crane	Holladay	Meeks	Turnham
Crawford	House	Nettles	Waggoner
Culver	Jackson (F)	Owens (W)	Wright
Dobbs	Jackson (T)	Paulk	Yeilding
Edington	Jones	Pearson	

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ADJOURNMENT

On motion of Mr. Meade, the House adjourned until two o'clock P. M., Tuesday, August 5, 1969.

Yeas 44; Nays 43.

Yeas:

Mr. Speaker	Downing	Higginbotham	Merrill
Bassett	Drake	Holladay	Money
Beck	Edington	Holman	Neville
Blanton	Fine	Kilgore	Owen (Baldwin)
Bowers	Gafford	Laxson	Perloff
Brassell	Graham	Malone	Pruitt
Burgess	Grayson	Marr	Shumate
Collier	Hain	Mathews	Steagall
Collins (W)	Harper	Mays	Watkins
Dill	Harris	Meade	Weeks
Doss	Headley	Melton	Wood

—44

Nays:

Messrs.:	Dobbs	Lybrand	Robertson
Agee	Foshee	Lyons	Sessions
Berryman (W)	Garrett	McCorquodale	Smith
Bolton	Grainger	McDonald	Snell
Brown	Hill	McElhanev	Stembridge
Cameron	Hobbie	McLain	Stubbs
Cherner	House	Meeks	Turnham
Collins (C)	Jackson (F)	Nettles	Waggoner
Cook (Jefferson)	Jackson (T)	Owens (W)	Wright
Crane	Jones	Paulk	Yeilding
Culver	Lemley	Pearson	Young

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TWENTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 5, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Mr. James A. Horton, preacher for the Jasper and Argo Churches of Christ in Walker County, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Brassell	Crawford	Gafford
Adwell	Brown	Culver	Garrett
Agee	Burgess	Dill	Gloor
Bank	Burgreen	Dobbs	Graham
Bassett	Cameron	Doss	Grainger
Beck	Cherner	Downing	Grayson
Berryman (W)	Collier	Drake	Hain
Blanton	Collins (C)	Edington	Hardin
Bolton	Collins (W)	Ellis	Harper
Bowers	Cook (Coffee)	Fine	Harris
Brannan	Cook (Jefferson)	Foshee	Haygood

Headley	Malone	Owen (Baldwin)	Starnes
Higginbotham	Manley	Owens (W)	Steagall
Hill	Marr	Owens (W.E.)	Stembridge
Hobbie	Mays	Paulk	Stubbs
Holladay	McCorquodale	Pearson	Tuck
Holman	McDonald	Pennington	Turnham
House	McElhaney	Perloff	Waggoner
Jackson (F)	McLain	Pruitt	Watkins
Jackson (T)	Meade	Robertson	Weeks
Jones	Meeks	Sessions	Williams
Kilgore	Melton	Shumate	Wood
Laxson	Merrill	Slate	Wright
Lemley	Money	Smith	Yeilding
Lybrand	Nettles	Snell	Young
Lyons	Neville	Springer	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Merrill, leave of absence was granted to Mr. Mathews due to absence from the State on State business.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fifth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 108. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-sixth Legislative Day, taking precedence over any other business in the House on this day:

Report of Standing Committees

Introduction of Bills

Senate Messages

Uncontested Local Bills

HB 947, Page 88

HB 320, Page 44

HB 899, Page 101

HB 177, Page 15

HB 180, Page 16
SB 266, Page 86
SB 267, Page 74
SB 405, Page 97
HB 577, Page 37
HB 578, Page 38
HB 586, Page 59
HB 545, Page 69
HB 546, Page 69
HB 548, Page 70
HB 948, Page 107
HB 1005, Page 81
HB 986, Page 86
HB 612, Page 88
HB 846, Page 91
HB 376, Page 59
HB 1112, Page 111
HB 593, Page 48
HB 850, Page 88
HB 361, Page 11
HB 44, Page 8
HB 775, Page 65
HB 1015, Page 89
HB 345, Page 57
HB 201, Page 21
HB 424, Page 28
HB 422, Page 28
HB 169, Page 42
HB 336, Page 25
HB 339, Page 7
HB 1063, Page 111
HB 240, Page 29
HB 368, Page 30
HB 334, Page 25
HB 526, Page 25
HB 996, Page 93

On motion of Mr. Merrill, H. R. 108 was adopted.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 30. To make appropriations from the Alabama Special Educational Trust Fund for capital outlay purposes to the Geneva County Board of Education and to the Elba City Board of Education.

H. 84. To appropriate funds for the construction of a weather shelter for the guard-watchman at the Jesse Speight Mall and adjacent state owned parking areas.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 140 (with amendment). To confer additional authority upon the state auditor respecting the examination and audit of records of public officials and repeal conflicting laws; and to provide for payment at state expense.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 605. Relating to the suspension or revocation of drivers' licenses; authorizing the director of public safety to issue drivers' licenses for limited use.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1014 (with amendment). To make an appropriation from the state treasury to the use of the agricultural center board for capital outlays.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 712. To prohibit and provide appropriate penalties for the removal, falsification or alteration of motor vehicle or engine identification numbers.

H. 731. To amend Code of Alabama 1940, Title 51, Section 545, levying a privilege license tax on lightning-rod salesmen to make further provisions for levying such privilege licenses.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 755 (with amendment). To make an appropriation from the state treasury to the use of the State Department of Education in matching funds provided by the Daughters of the American Revolution for capital outlay purposes at the Kate Duncan Smith School at Grant, Alabama.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 993. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1127 (with amendment). To make an appropriation to the Alabama Educational Television Commission.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

H. 1245. To further amend Section 54 of Title 45, Code of Alabama 1940, as amended, by providing that a state convict upon being discharged may choose to receive suitable clothing or cash equivalent to same; to delete therefrom any provisions about county convicts; to repeal all laws in conflict.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1176. To amend Sections 13 and 15 of Act No. 221, H. 40, approved April 20, 1965, Special Session 1965, which relates to public school administration; providing further for selection, approval, adoption, purchase, distribution and use of tax-paid textbooks; repealing conflicting laws.

H. 1244. To amend Code of Alabama 1940, Title 14, Section 389, which provides for the location of offices and laboratories of the state toxicologists, so as to require one of such offices and laboratories to be maintained in Mobile County.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 658 (with amendment). To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 454. To amend Section 12 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

H. 831. To establish a board of inquiry and to prescribe its rights, powers and responsibilities; to provide the procedure to obtain legal authorization for the medical sterilization of mentally retarded persons; to prohibit sterilization of persons who are mentally retarded and persons who may reasonably be thought to be mentally retarded, except in accordance with the procedures set forth in this Act; and to relieve physicians, surgeons and their assistants performing medical sterilization authorized by this Act from all legal responsibility except for malpractice.

H. 997. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1115. Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

H. 796. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions and industry, and to authorize counties and municipalities to provide for collection and disposal of solid wastes and charge a fee therefor, and to contract for such services to be performed by others, and to permit the formation of districts or areas beyond corporate limits, or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act or rules and regulations pursuant thereto, in the interest of the public health, comfort and safety.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1181. Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

H. 1186. To authorize the governing bodies of all counties having populations of not less than 100,000 nor more than 115,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

H. 1202. To propose an Amendment to the Constitution of Alabama relating to Chambers County, so as to provide further for the use of the proceeds of the special property tax authorized to be levied pursuant to Amendment No. 72 for hospital and public health purposes.

The above bill was read a second time at length as required by the Constitution.

H. 1231. Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide a clerk hire allowance for the judge of probate in such counties.

H. 1240. Relating to counties having populations of not less than 16,150 nor more than 17,250, according to the most recent federal decennial census; to fix the compensation of the members of the county board of education in such counties; to repeal conflicting laws.

H. 1254. To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula, and to prescribe the method of computing Sheriff's mileage.

H. 1256. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court, to authorize the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

H. 1257. To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

H. 1258. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

H. 1259. To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each division; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

H. 1260. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of LIMESTONE County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1008. To amend Act No. 165, No. 215, 1965 Special Session, Vol. I, page 216, approved March 30, 1965, relating to counties having a population of not less than one hundred fifty thousand nor more than three hundred thousand, fixing the fee for the issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fee.

H. 1099. To amend Act No. 240, H. 627, approved July 29, 1947, (Local Acts of 1947, p. 165) entitled, "An Act to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County but not for the elected officials", to provide for an increase in the pension or retiring allowance authorized by said Act.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1100 (with substitute). To amend Act No. 176 of the Legislature, approved September 28, 1959, (Local Acts of 1959, p. 702) and Act No. 240 of the Legislature approved, July 29, 1947, (Local Acts of 1947, p. 165) to authorize and require the Board of Revenue of Montgomery County, Alabama to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

H. 1241. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

H. 1242. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1230. To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Owen (Baldwin) and Brannan:

H. 1261. To provide expense allowances for the judge of the circuit court of the Twenty-Eighth Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Owen (Baldwin) and Brannan:

H. 1262. To provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Local Legislation No. 1.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 1263. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Local Legislation No. 1.

Notice and Proof H. 1263:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The Judge of Probate shall receive an annual salary of \$20,000, which shall include his compensation for all ex officio duties.

The sheriff shall receive an annual salary of \$20,000.

The Clerk of the Circuit Court shall receive an annual salary of \$10,000, which shall include his compensation for all ex officio duties.

The register of the Circuit Court shall receive an annual salary of \$10,000.

Section 2: The Court of County Commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this Act in such number as may be reasonably necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. However, the maximum allowances for clerk hire and salaries for assistants for each of such officers shall be as follows:

For the Probate Judge, the sum of \$35,000 per annum:

For the Sheriff, the sum of \$18,000 excluding salaries for deputy sheriffs.

For the clerk of the Circuit Court, the sum of \$8,000 per annum.

In addition, the Probate Judge shall be entitled to ten cents per mile for each mile traveled on the annual visits to the precincts in October and November of each year; also the sheriff shall be entitled to the allowances payable by the state for feeding the prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county.

Section 3: The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1, shall be paid into the general fund of the county. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries and other assistants shall be paid in equal monthly installments from the general fund of the county.

Section 4: The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the officers named in this act with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices; and shall allow the sheriff such an amount as may be necessary to pay the expenses of operation of his office, including travel expenses.

Section 5: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6: This Act shall supersede Act No. 357, H. 707, Regular Session 1963 (Acts 1963, p. 857), and all other laws or parts of laws in conflict herewith.

Section 7: This Act shall take effect on the expiration of the current term of office of each of the officers who are affected thereby.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

J. H. FAULKNER, JR.

Sworn to and subscribed before me July 31, 1969.

DOROTHY MARTIN,
Notary Public.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 1264. Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

Local Legislation No. 1.

Notice and Proof H. 1264:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the chief deputy sheriff of Baldwin County shall be not less than \$5400.00 and not more than \$7800.00 per annum. The exact amount of the salary of the chief deputy shall be set by the county commissioners or other like governing body of the county. Such salaries shall be paid in equal monthly installments from the general fund of the county.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

J. H. FAULKNER, JR.

Sworn to and subscribed before me July 31, 1969.

DOROTHY MARTIN,
Notary Public.

By Messrs. Owen (Baldwin) and Brannan:

H. 1265. Applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman.

Local Legislation No. 1.

By Mr. Owen (Baldwin) (with notice and proof):

H. 1266. Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

Local Legislation No. 1.

Notice and Proof H. 1266:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commissioners of Baldwin County, or any like governing body of said county shall pay the salaries of six deputy sheriffs. Such deputies shall be in addition to the chief deputy sheriff.

Section 2. The governing body is hereby authorized and empowered to pay the salaries of deputy sheriffs in addition to those in Section 1.

Section 3. The deputies shall receive a salary of not less than \$4800.00 and not more than \$6600.00 per annum, to be paid in equal monthly installments and may be paid in whole or in part from the general fund, and fine forfeiture fund or the county public highway and traffic fund as the governing body shall direct. The salaries shall be set by the governing body at their discretion, not to exceed the maximum designated herein.

Section 4. The sheriff shall appoint the additional deputies as provided for in this Act and they shall serve at his pleasure.

Section 5. It shall be the duty of said deputies to enforce state traffic and motor vehicle laws, and while not so engaged to perform such other duties of the sheriff as the sheriff shall direct, but their essential duties shall be to enforce said state traffic and vehicle laws as aforesated.

Section 6. If any sentence, clause, provision or section of this Act be declared invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of portions thereof.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

J. H. FAULKNER, JR.

Sworn to and subscribed before me July 31, 1969.

DOROTHY MARTIN,
Notary Public.

By Mr. Neville:

H. 1267. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an expense allowance for the probate judge of such counties.

Local Legislation No. 1.

By Mr. Neville:

H. 1268. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an additional deputy circuit clerk for such counties.

Local Legislation No. 1.

By Mr. Neville:

H. 1269. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax collector of such counties.

Local Legislation No. 1.

By Mr. Neville:

H. 1270. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax assessor of such counties.

Local Legislation No. 1.

By Mr. Owens (W):

H. 1271. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Agriculture.

By Mr. Owens (W):

H. 1272. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Agriculture.

By Messrs. Owens (W) and Melton:

H. 1273. To establish as a criminal offense in this State, the interference or attempted interference by force or threat of force with the performance by any public official of any duty imposed upon him by law.

Judiciary.

By Mr. Owens (W):

H. 1274. To provide that it shall be permissible for the member of any municipal pension system to file simultaneously claims for different allowances from the system; to provide that if a member files simultaneously claims for different allowances he shall be deemed to be claiming first the larger allowance and to be claiming in the alternative the lesser allowance if the larger allowance is denied; to provide that if the application for payment of any allowance provided for by

any municipal pension system is denied, then the pension board having jurisdiction to pass upon the application shall treat such application as an application for any lesser allowance to which the member claiming the denied allowance would have been entitled had he claimed such lesser allowance; to provide that such pension board upon denying any allowance claimed by a member of a municipal pension system shall thereupon allow the member any lesser allowance to which he would have been entitled had he claimed such lesser allowance; to provide that neither the granting of such lesser allowance by the board nor the acceptance thereof by the member shall affect the member's right to review the denial of the allowance claimed; to provide that on the reversal of a decision of the board denying an allowance claimed the payments on any lesser allowance to the member claiming the allowance denied, while review of the denial of the allowance claimed was pending, shall be treated as partial payments on any allowance the judgment or reversal requires to be paid to such member of the system; and to otherwise provide for the administration of this Act.

Business and Labor.

By Mr. Owens (W):

H. 1275. To make an appropriation from the state treasury to the use of the Hobson Memorial Board for capital outlays.

Ways and Means.

By Mr. Neville:

H. 1276. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Lemley, Young, Fine and Bolton:

H. 1277. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Health.

By Mr. Paulk:

H. 1278. To provide old age assistance to certain teachers not eligible for retirement allowances by the Teachers' Retirement System.

Ways and Means.

By Mr. Mathews:

H. 1279. To make an appropriation for the payment of expenses of the Legislature.

Rules.

By Mr. Cook (Coffee) (with notice and proof):

H. 1280. To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Local Legislation No. 1.

Notice and Proof H. 1280:

STATE OF ALABAMA
COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Be It Enacted by the Legislature of Alabama:

Section 1: There is hereby established the Inferior Court of Coffee County with jurisdiction co-extensive with the county or criminal and civil matters as hereinafter provided.

Section 2: (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand Dollars (\$1,000.00) and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including bastardly proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved), cognizable before a County Court, as provided in Chapter 6, Title 13, Code of Alabama, Juvenile Court and Justices of the Peace. It shall have authority to punish contempts by fine not exceeding \$50.00, or a term in the County Jail not exceeding five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but shall not have jurisdiction to try persons charged with felonies or actions of ejectment or of any matter proceeding cognizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosecution shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate (including a Justice of the Peace), the deputy District Attorney, or public official of Coffee County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises the jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Coffee County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Coffee County and shall be gov-

erned by the provisions of Sections 362, 371 and 372 of Title 13, and Sections 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Coffee County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The Juvenile Court of Coffee County is abolished. All criminal and quasi criminal jurisdiction of Justices of the Peace in Coffee County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Coffee County.

(g) In any civil action pending in the Inferior Court of Coffee, County, if the defendant files a plea of set off or recoupment claiming an amount in excess of \$1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Coffee County where the same shall proceed as if originally commenced therein.

(h) The Inferior Court of Coffee County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3: (a) The Judge of the Inferior Court of Coffee County shall be appointed by the Court of County Commissioners, or other governing body of Coffee County, to hold office until September 30, 1970; his successors shall be appointed for terms of four years each beginning October 1, 1970 and every four years there-after, by resolution of the Court of County Commissioners, or other governing body of Coffee County, not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge; provided, however, that said judge shall be appointed by the Court of County Commissioners, or other governing body of Coffee County, from a list of not less than two or more than three eligibles submitted to them by the Coffee County Bar Association, if there be such, and should there not be such, by the attorneys in said county admitted to practice law before the Supreme Court of the State of Alabama, in meeting assembled at which more than one-half of said attorneys are present. No person shall be eligible to appointment as Judge of the Inferior Court of Coffee County who is not learned in the law and a qualified elector of Coffee County. The judge, shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Court of County Commissioners or other governing body of Coffee County, from a list of eligibles as provided hereinabove, such appointment to be for the unexpired term. Provided however, that should the Court of County Commissioners or other governing body of Coffee County fail to appoint a judge within twenty days of the expiration of a term or within twenty days of a vacancy the governor of Alabama shall make the appointment from the list of eligibles, as set out above.

Section 4: (a) The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the judges of Circuit Courts at law; (2) administer oaths and take acknowledgements; (3) issue search warrants; (4) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provided, at the expense of the County, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of Six Thousand Dollars, (\$6,000.00), payable out of the general fund of the county in equal monthly installments.

Section 5: (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Friday in each month at the Court House in the Enterprise Division of Coffee County, and on the third Friday in each month at the Court House in the Elba Division of Coffee County, for the trial of criminal cases and civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person or by deputy and shall attend other sessions when requested by the judge and shall receive the same compensation therefor for which he is now allowed for attending session of the Circuit Court. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the judge.

Section 6: In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7: All cases in the Inferior Court of Coffee County shall be tried and all issues of fact decided by the judge without the intervention of a jury.

Section 8: In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, as now or hereafter allowed by law to be taxed and collected in such actions in the Circuit Court, except that there shall be taxed as clerk's fees the sum of \$8.00 in each case; provided however, for issuances of writs of garnishment before or after judgment the clerk's fees shall be the same as now or hereafter provided in the Circuit Court, in addition to the \$8.00 fee provided herein. In all criminal cases the same fees for the services of the clerk, sheriff, solicitor and witnesses and other court costs, as now or hereafter allowed by the law to be taxed and collected in such cases in the Circuit Court, together with a trial tax in the amount of \$4.00 for each civil action or criminal case for the use of Coffee County, and \$1.00 library fee which shall be remitted to the Court of County Commissioners or other governing body of Coffee County to be used and dispersed under the provisions of Act Number 24, Acts of Alabama, First Special Sessions, 1956, page 48; provided however, that in criminal cases involving violations of the rules of the road or statutes governing the operation of vehicles on public highways or game and fish laws, the Clerk shall receive in lieu of all other fees the sum of \$3.00 plus commissions, and in such case, where the defendant pleads guilty, no solicitors fees and no trial tax other than fair trial tax shall be taxed or collected.

Section 9: (a) The fees of the Clerk and of the Sheriff, in amounts provided herein, in criminal cases, if the State fails to convict or if the State fails to pay, or where a nolle prosequi is ordered, or where the case is abated by the death of the defendant, or where execution is returned "no property found" shall be paid by the County as in Cir-

cuit Court. The Clerk shall be entitled to commissions of five percent on all money remitted to the State or the county.

(b) The Clerk shall retain his own fees and the fees of the Sheriff and witnesses and shall pay them to the parties entitled thereto as in Circuit Court. All other items of costs shall be remitted to the general fund of the county unless otherwise provided by State law or this act; provided, however, all solicitors fees collected shall be remitted to the general fund of the County.

Section 10: The County Solicitor or Deputy District Attorney shall prosecute for the State all criminal cases commenced in said court.

Section 11: The party in whose favor judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as provided by law with respect to judgments rendered by the Circuit Court.

Section 12: (a) The Clerk of the Circuit Court of Coffee County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Coffee County shall be ex officio a deputy clerk of the Inferior Court of Coffee County. The clerk shall have authority to requisition at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds; (4) to enter all judgments, orders and decrees of the courts; (5) to certify all appeals; (6) to issue certificates of judgment, and (7) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the Circuit Courts.

(d) The Clerk shall attend all sessions of the court in person or by deputy.

Section 13: All cases and actions pending in the Juvenile Court of Coffee County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. The Inferior Court of Coffee County shall have the same jurisdiction to enforce judgments heretofore rendered by the Juvenile Court of Coffee County and all judgments in criminal cases heretofore rendered by Justices of the Peace in Coffee County in all respects as though the judgments had been rendered by it. This act shall not apply to nor affect any criminal or quasi criminal case pending in any Justice of the Peace Court of the county on the effective date hereof.

Section 14: The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 15: All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 16: This act shall take affect on the first day of the month next following the date of its enactment.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COFFEE COUNTY

Before me, a Notary Public in and for said State and County, personally appeared Ferrin Cox, who states on oath that he is the Managing Editor of The Elba Clipper, a newspaper published weekly at Elba Ala., in said County and State, and that the Notice hereto attached was published in said newspaper for a period of four consecutive weeks on the following dates, to-wit: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969.

FERRIN COX.

Sworn to and subscribed before me on this the 5th day of August, 1969.

DONALD R. KELLEY,
Notary Public.
(4-28-71)

By Mr. Cook (Coffee) (with notice and proof):

H. 1281. To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

Local Legislation No. 1.

Notice and Proof H. 1281:

STATE OF ALABAMA
COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1: The office of Deputy District Attorney of Coffee County, Alabama, is hereby created. The Deputy District Attorney provided for herein shall be appointed and serve at the pleasure of the District Attorney of the 12th Judicial Circuit, or such other Judicial Circuit or District as Coffee County may hereafter be a part.

Section 2: The Deputy District Attorney shall be learned in the law and a resident of Coffee County, Alabama, and shall perform such duties and exercise such authority as may be prescribed by law pertaining to duties and authority of Deputy or County Solicitors, and by the District Attorney appointing same.

Section 3: The salary of the Deputy District Attorney shall be the sum of \$3,600.00 per annum, payable out of the General Fund of Coffee County in equal monthly installments.

Section 4: All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 5: This act shall take affect on the first day of the month next following the date of its inactment.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA COFFEE COUNTY

Before me, a Notary Public in and for said State and County, personally appeared Ferrin Cox, who states on oath that he is the Managing Editor of The Elba Clipper, a newspaper published weekly at Elba Ala., in said County and State, and that the Notice hereto attached was published in said newspaper for a period of four consecutive weeks on the following dates, to-wit: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969.

FERRIN COX.

Sworn to and subscribed before me on this the 5th day of August, 1969.

DONALD R. KELLEY,
Notary Public.
(4-28-71)

By Mr. Cook (Coffee) (with notice and proof):

H. 1282. Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

Local Legislation No. 1.

Notice and Proof H. 1282:

STATE OF ALABAMA COUNTY OF COFFEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1: One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction, other than municipal courts, within Coffee County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid to the general fund of Coffee County and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2: All laws or parts of laws which conflict with this Act are, to the extent of such conflict repealed.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COFFEE COUNTY

Before me, a Notary Public in and for said State and County, personally appeared Ferrin Cox, who states on oath that he is the Managing Editor of The Elba Clipper, a newspaper published weekly at Elba Ala., in said County and State, and that the Notice hereto attached was published in said newspaper for a period of four consecutive weeks on the following dates, to-wit: June 19, 1969, June 26, 1969, July 3, 1969, July 10, 1969.

FERRIN COX.

Sworn to and subscribed before me on this the 5th day of August, 1969.

DONALD R. KELLEY,
Notary Public.
(4-28-71)

By Mr. Melton:

H. 1283. To amend further Code of Alabama 1940, Title 48, Section 302, to include under the definitions of "utility", community antenna television systems (C A T V).

Judiciary.

By Mr. Melton:

H. 1284. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment; and to grant additional authority to the board.

Judiciary.

By Messrs. Melton, Mays and Wood:

H. 1285. To amend Section 1 of Act No. 60, Second Special Session 1965, Acts of Alabama, Second and Third Special Sessions, Vol. 1, page 85, an Act to levy and provide for the collection of a tax in the amount of one dollar (\$1.00) upon each criminal and quasi criminal case docketed in every court in the State of Alabama, with certain enumerated exceptions as to courts and cases, so as to increase the amount of such tax.

Judiciary.

By Messrs. Foshee and Jackson (F):

H. 1286. Relating to counties having populations of not less than 35,100 nor more than 36,100; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained

at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials.

Local Legislation No. 1.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 1287. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1287:

NOTICE OF LOCAL BILL TO WHOM IT MAY CONCERN:

Notice is hereby given that at the present session of the Legislature Alabama a Local Bill will be introduced for passage relating to an Act to alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama, which Local Bill will be in substance, as follows:

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundary lines of the City of Opp, Covington County, Alabama, be and the same are hereby altered or rearranged so as to include within the corporate limits of the City of Opp all territory now within such corporate limits and also certain other territory in Covington County, Alabama, all of which other territory lying and being in Covington County, Alabama is more particularly described as follows:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 36, Township 4 North, Range 17 East; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 19, Township 4 North, Range 17 East; all of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 32, Township 4 North, Range 18 East lying South of Alley between Cummings Street and Rosalie Avenue; S $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 20, Township 4 North, Range 18 East; S $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 20, Township 4 North, Range 18 East; NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 20, Township 4 North, Range 18 East; E $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 20, Township 4 North, Range 18 East; S $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 16, Township 4 North, Range 18 East; SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 21, Township 4 North, Range 18 East; S $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 15, Township 4 North, Range 18 East; S $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 15, Township 4 North, Range 18 East; SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 14, Township 4 North, Range 18 East; NE $\frac{1}{4}$ of Section 22, Township 4 North, Range 18 East; N $\frac{1}{2}$ of SE $\frac{1}{4}$ Section 22, Township 4 North, Range 18 East; All of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 22, Township 4 North, Range 18 East lying North of South Right of Way of the Cool Springs Road; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 22, Township 4 North, Range 18 East; W $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 23, Township 4 North, Range 18 East; W $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 23, Township 4 North, Range 18 East; East $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 27, Township 4 North, Range 18 East; E $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27, Township 4 North, Range 18 East; All of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27, Township 4 North, Range 18 East lying South of the North Right of Way of the Perry Store Road; W $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 26, Township 4 North, Range 18 East; NE $\frac{1}{4}$ of Section 34, Township 4 North, Range 18 East; SE $\frac{1}{4}$ of Section 34, Township 4 North, Range 18 East; W $\frac{1}{2}$ of

NW¼ Section 35, Township 4 North, Range 18 East; W½ of SW¼ Section 35, Township 4 North, Range 18 East; NW¼ of Section 2, Township 3 North, Range 18 East; N½ of SW¼, Section 2, Township 3 North, Range 18 East; NE¼ of Section 3, Township 3, North, Range 18 East; SE¼ of Section 3, Township 3 North, Range 18 East; SW¼ of Section 3, Township 3 North, Range 18 East; SE¼ of NW¼, Section 3, Township 3 North, Range 18 East; SE¼ of Section 4, Township 3 North, Range 18 East; SW¼ of Section 4, Township 3 North, Range 18 East; W½ of SW¼ Section 26, Township 4 North, Range 18 East.

Section 2: This Act shall take effect on its passage and approval by the Governor or otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Before me, the undersigned authority, personally appeared Robert D. Burgess, who, being duly sworn deposes and says that he is the Editor of The Opp News, a newspaper of general circulation published at Opp in Covington County, Alabama; that said newspaper has been mailed under the second class mailing privileges of the United States Post office dated from the Post Office at Opp, Alabama, for 52 consecutive weeks and more prior to July 3, 1969; that the notice of Local Bill attached hereto has been published in said newspaper for four consecutive weeks in the weekly issues of said newspaper of the dates of July 3-10-17-24, 1969.

ROBERT D. BURGESS.

Sworn to and subscribed before me this 31st day of July, 1969.

NAN SCOFIELD,
Notary Public,
Covington County, Alabama.

By Messrs. Drake and Starnes:

H. 1288. Relating to counties having a population of not less than 42,000 nor more than 46,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Local Legislation No. 1.

By Messrs. Starnes and Drake:

H. 1289. Relating to counties having a population of not less than 47,000 nor more than 49,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Local Legislation No. 1.

By Messrs. Starnes, McDonald and Drake:

H. 1290. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to provide for an expense allowance for certain officers to be paid from the general funds of the county; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Blanton:

H. 1291. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Beck and Meade:

H. 1292. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Local Legislation No. 1.

By Messrs. Beck and Meade:

H. 1293. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Beck and Meade:

H. 1294. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Local Legislation No. 1.

By Mr. Mays:

H. 1295. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Wright, Fite, Grainger, Bank, Malone, Owens (W.E.), Holladay, Beck and Meade:

H. 1296. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the

proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Rules.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 1297. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Local Legislation No. 1.

Notice and Proof H. 1297:

STATE OF ALABAMA HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 regular session of the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Cottonwood, Houston County, Alabama, be changed to include all of the territory lying within the following described boundaries:

Beginning at the Southwest corner of Section 23, T1N, R27E and running thence North along the west line of said Section 23, and along the west line of Section 14, and along the West line of Section 11 to the Northwest corner of the S $\frac{1}{2}$ of N $\frac{1}{2}$ of said Section 11, T1N, R27E; thence East along the north line of the S $\frac{1}{2}$ of N $\frac{1}{2}$ of said Section 11, and along the north line of the S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 12 to the Northeast corner of the S $\frac{1}{2}$ of N $\frac{1}{2}$ Section 12; thence South along the East line of the S $\frac{1}{2}$ of N $\frac{1}{2}$ of Section 12, and along the East line of Section 13, and along the East line of Section 24 to the southeast corner of Section 24, T1N, R27E; thence West along the south line of said Sec-

tion 24 and along the south line of Section 23 to the Point of Beginning and embraces all of Sections 13, 14, 23 & 24 and the South $\frac{3}{4}$ of Sections 11 & 12 all in Township 1 North, Range 27 East.

As thus altered and extended the corporate limits of said town shall include all of the lands lying within the aforesaid boundaries.

Section 2. That this Act shall become effective immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1969.

WALLACE MILLER.

Sworn to and subscribed before me July 30, 1969.

GLEND A. J. POWELL,
Notary Public, Houston Co.

By Messrs. Stembridge and Crawford:

H. 1298. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge:

H. 1299. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955, an act providing for urban renewal projects (Acts 1955, v. 2, p. 1210), as amended, in relation to the powers of housing authorities and municipalities to acquire planning funds from federal agencies.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1300. To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting laws.

Local Legislation No. 1.

By Mr. Williams:

H. 1301. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to

the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Messrs. Cook (Jefferson) and Gloor:

H. 1302. Relating to the execution of certain public contracts on which competitive bidding is required; amending Section 9 of Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) and further amending Section 9 of Act No. 343, H. 71, Regular Session 1957 (Acts 1957, p. 452), so as to extend the period for which contracts may be made for the purchase of personal property or contractual services, subject to certain options.

Transportation.

By Messrs. Dill, Bowers, Weeks, Meeks, Gloor, Yeilding, Sessions, Holman, Cook (Jefferson), Money and Ellis:

H. 1303. To authorize and regulate cooperation in counties having populations of 600,000 or more, according to the most recent federal decennial census, among and between the county, municipalities, other governmental subdivisions and public corporations therein, the state and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of area.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Meeks, House, Yeilding, Waggoner, Sessions, Dill, Money, Adwell, Weeks and Ellis:

H. 1304. To provide in all counties having a population of not less than 600,000 inhabitants according to the last or any subsequent federal census a special indexing fee of \$1.00 which fee is in addition to all existing recording fees and charges on each document or instrument hereafter filed and indexed for record in the office of the Judge of Probate of any such county.

Local Legislation No. 2.

By Messrs. Dill, Weeks, Meeks, Gloor, Yeilding, Sessions, Holman, Bowers, Cook (Jefferson), Waggoner and House:

H. 1305. Authorizing any municipality of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Local Legislation No. 2.

By Messrs. Hill, McLain and Haygood:

H. 1306. To amend Code of Alabama 1940, Title 37, Section 557, which relates to the payment of municipal improvement assessments, in relation to the rate of interest to be charged when such assessments are paid in installments or are delinquent.

Business and Labor.

By Mr. McLain:

H. 1307. Relating to all incorporated cities and towns within the State of Alabama; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; authorizing said cities and towns to provide by ordinance for the levy and assessment of an excise tax or use tax parallel to the State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements, provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that said cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy, is otherwise provided for by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the State Department of Revenue under the provisions and procedures provided for by Act No. 203, H. 99, Special Session 1965.

Transportation.

By Mr. McLain:

H. 1308. To provide that all municipalities and all counties levying an excise or privilege license tax upon the sale, use or consumption, distribution, storage or withdrawal from storage, of gasoline or motor fuel may require that where the tax has been paid to the municipality or county by a distributor, refiner, or by any retail dealer, storer, or user, such payment shall be sufficient, the intent being that the tax shall be borne by the consumer and paid to the municipality or county but once.

Transportation.

By Messrs. Jones, Grainger, McElhaney and Pennington:

H. 1309. Authorizing every county and every municipality of the State to establish and operate a collection and disposal system for automobile hulks, discarded or abandoned appliances or equipment, junk, and any other metallic or non-metallic trash or debris; authorizing the charging of a fee or fees for such services; directing each county in

the State to establish a special study commission concerning the control, storage, abandonment, or disposal of such material; authorizing the county commission to designate, by resolution of the Commission, and after a hearing, areas or zones within the county where such material may be kept or stored; and making the storage of such material unlawful, except in conformity with this act; and providing punishment for the violation thereof.

Health.

By Messrs. Jones, Pennington, Laxson, Grainger and McLain (with notice and proof):

H. 1310. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Local Legislation No. 4.

Notice and Proof H. 1310:

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Be It Enacted by the Legislature of Alabama:

Section 1. Amendment of Act. No. 708, 1967 Regular Session. Section 7 of Act No. 708 adopted at the 1967 Regular session of the Legislature of Alabama, which provides for public highways, streets and bridges in Madison County, Alabama, and contains, inter alia, provisions for the distribution among the said county and the municipalities therein of those portions that are allocated to the said county by Act No. 224, 1967 Special Session, of the net proceeds from that certain excise tax, referred to in the said Act No. 708 as (and herein called) the "highway gasoline tax," and consisting of (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section

647, and (b) the excise tax levied by Section 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel, is hereby amended so that the said Section 7 shall read as follows:

Section 7. Use of Tax Proceeds Distributed Under This Act. All tax proceeds paid to the county pursuant to the provisions of this act shall be used by the county only for transportation planning, and for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges, as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the proceeds from the highway gasoline tax were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act. No. 838 adopted at the 1953 Regular Session of the Legislature; provided, that no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of the state.

All tax proceeds paid to any municipality pursuant to the provisions of this act shall be used by such municipality only for transportation planning, and for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads, bridges, streets, and other public ways including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the said proceeds were or may be lawfully pledged; provided, that no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of the state.

When requested so to do by any municipality in the county, the highway department may at its discretion make available the services and advice of its engineers and other employees with respect to any work for which that municipality proposes to expend moneys distributed to it under this act. Any such services and advice that may be so made available shall be provided under such terms and conditions as may be mutually agreeable to the highway department and the municipality.

Section 2. Disposition of Unexpended Highway Gasoline Tax Proceeds Allocated to Municipalities Under Act No. 708 Prior to the Effective Date of This Act. The state treasurer shall, within thirty days after the effective date of this act, pay over and distribute to or on the order of each municipality in the county all moneys which shall have been theretofore allocated to that municipality under the said Act. No. 708 and which shall not have been theretofore paid to that municipality; provided, however, that if the state highway department shall within five days after the effective date of this act file with the state treasurer a certificate signed by the Highway Director with respect to any such municipality (a) stating (i) that on the effective date of this act there was an outstanding contract between the said municipality and the state highway department whereunder the said municipality agreed to pay to the said department as compensation for engineering services of the said department in either preparation of plans or supervision of construction work, or both, or as compensation for construction work performed by the said department (or as compensation for both such engineering services and such performance of construction work), any portion of the moneys that might be allocated to that municipality under the said Act. No. 708, (ii) that any such engineering services or construction work have been theretofore actually performed by the said department, (iii) that the amount of the compensation provided for in the said contract does not exceed the reasonable value of the services or work so performed, and (iv) that all or

part of the said compensation then remains unpaid, (b) setting forth the amount of the said compensation that then remains unpaid and (c) directing the State Treasurer to pay the said unpaid compensation to the state highway department, out of the aforesaid moneys allocated to the said municipality under the said Act. No. 708 prior to the effective date of this act; then the State Treasurer shall within the said thirty-day period (1) pay to the state highway department, out of the moneys allocated to the said municipality under the said Act. No. 708 prior to the effective date of this act, the amount stated in the said certificate pursuant to the foregoing clause (b) of this section and (2) pay to or on the order of the said municipality the residue of the moneys allocated as aforesaid to such municipality under the said Act No. 708 prior to the effective date of this act.

None of the provisions of this section shall be deemed to prevent the state highway department and any municipality in the county from entering into any arrangement mutually agreeable to them for payment of any compensation to the state highway department that the municipality may have agreed to make in any contract entered into prior to the effective date of this act. The state highway department and any such municipality are hereby specifically authorized to enter into any such other arrangement and in the event mutually satisfactory arrangements for payment of any such compensation are made between the said department and any such municipality, the department shall not file the certificate hereinabove provided for with respect to that municipality.

Section 3. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 4. Effective Date. This act shall become effective on the first day of the second month following its being signed by the Governor or otherwise becoming law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 24, 30 and August 4, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 4th day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Jones, Grainger, Pennington, Laxson and McLain:

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Local Legislation No. 4.

By Messrs. Pennington, Grainger, Laxson, McLain and Jones:

H. 1312. To amend Title 15, Section 106, Code of Alabama, 1940, to provide for service of search warrants by sheriffs, constables, marshalls or policemen of incorporated cities or towns.

Judiciary.

By Messrs. Grainger, Pennington, Laxson, McLain and Jones:

H. 1313. To provide that for the conviction of persons who willfully allow or causes pain or injury to a child and to provide the punishment for such crime.

Judiciary.

By Messrs. Manley and Pruitt:

H. 1314. To amend Section 1 of Act No. 179, Acts of Alabama 1965, page 250, relating to counties having a population of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to provide an additional expense allowance for members of the governing body of any such county payable out of county funds; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Local Legislation No. 1.

By Messrs. Fite, Graham and Berryman (W):

H. 1315. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any

one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Rules.

By Messrs. Ellis, Dill, Gloor, Jackson (T), Money, Weeks, Bank, Grainger, McCorquodale, Harris, Adwell, Culver and Holman:

H. 1316. To establish a movie classification board to classify and restrict the exhibiting of movies; to provide for the appointment, duties and powers of said board.

Education.

By Messrs. Ellis, House, Holman and Bowers:

H. 1317. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

Education.

By Messrs. Ellis, Holman and Bowers:

H. 1318. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

Education.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ellis, Holman and Bowers:

H. 1319. To create a junior college board; to repeal conflicting laws.

Education.

By Mr. Burgreen:

H. 1320. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Local Legislation No. 1.

By Messrs. Lyons, Bank, Burgess, McLain, Jackson (T) and Pruitt:

H. 1321. To amend Sections 107 and 176, Title 17 and Section 34 (39) Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

Judiciary.

By Messrs. Lyons, Bank, Burgess, McLain, Jackson (T) and Pruitt:

H. 1322. To provide for the systematic purging of voter registration lists and for the making of various lists of registered voters by boards of registrars; requiring that registrars set up and maintain a file of registered voters and that voters report current addresses to registrars; and providing funds to be used toward defraying the expenses of operation of boards of registrars.

Judiciary.

By Messrs. Lyons, Bank, Burgess, McLain, Jackson (T) and Pruitt:

H. 1323. To provide for the resumption of the use of literacy tests as a qualification for voting as required by the state Constitution consistent with any federal law, orders, plan or court ruling under which tests may be resumed; to provide assistance to boards of registrars in conducting such tests and operating under such plan; and to provide for enforcement of applicable laws.

Judiciary.

By Messrs. Lyons, Bank, Burgess, McLain, Jackson (T) and Pruitt:

H. 1324. To provide a non-discriminatory method of selecting persons to be considered for jury service; using the list of registered voters of each county; to prescribe the method of selecting names, determining qualifications, making up the jury roll, filling the jury box, and maintaining records; to provide qualifications for persons appointed as members of jury commissions, their remuneration and minimum number of meeting days; to provide for clerical assistance, equipment, and supplies to carry out the provisions of this act; to prescribe penalties for violation of the chapter; and to amend Sections 8, 10, 12, 15, 17, 18, 20, 21, 22, and 26, Title 30, Code of Alabama 1940, as amended.

Judiciary.

By Messrs. Marr, Collins (W) and Lyons:

H. 1325. To define "fifty tons burden" as used in the Alabama Sales Tax law, Act No. 100, H. 94, 2nd Special Session 1959 (Acts 1959, p. 298), as amended and supplemented, and as used in the Alabama Use Tax law, Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended and supplemented.

Judiciary.

By Mr. Grayson:

H. 1326. To regulate further judgments in actions and proceedings to enforce payment of alimony awarded pursuant to duly rendered decrees providing for continuous maintenance through payment of alimony in periodic installments, limiting the period of arrearage for which judgments may be rendered.

Judiciary.

By Messrs. Hobbie, Brannan, Owen (Baldwin), Cameron, Harris, McElhaney, Harper, Foshee, Bassett and Hardin:

H. 1327. To provide tuition grants, based upon financial need, to fulltime resident students attending accredited private institutions of higher education in the State of Alabama.

Judiciary.

By Messrs. McElhaney, Hobbie, Springer, Cameron and Harris:

H. 1328. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; to exempt art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws.

Local Legislation No. 4.

By Mr. Young (with notice and proof):

H. 1329. A bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1329:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF RANDOLPH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A Bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the present salary, the members of the Tax Equalization Board, Board of Registration, and Jury Commission

shall receive \$5.00 per day from the county's General Fund or such funds as authorized by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

R. T. BAILEY.

Sworn to and subscribed before me July 31, 1969.

JOE T. BRENT,
Notary Public.

By Mr. Young (with notice and proof):

H. 1330. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1330:

STATE OF ALABAMA COUNTY OF RANDOLPH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Court of County Commissioners, Board of Revenue, or other like governing body of Randolph County, shall be paid an annual salary of \$6,000.00 for their services in lieu of per diem pay or mileage. Such salary shall be paid in equal monthly installments from any funds in the county treasury available for such purpose. Each member shall be furnished a pickup truck by the county which he may use in and about the proper discharge of his duties in letting out, inspecting and accepting, building or repairing any of the county roads or bridges.

Section 2. The Court of County Commissioners, Board of Revenue, or other like governing body shall hold regular meetings twice monthly. Such meetings shall be held on the second and fourth Mondays of each month.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall take effect at the expiration of the terms of the incumbent commissioners.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

R. T. BAILEY.

Sworn to and subscribed before me July 31, 1969.

JOE T. BRENT,
Notary Public.

By Mr. Young (with notice and proof):

H. 1331. Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

Local Legislation No. 1.

Notice and Proof H. 1331:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF RANDOLPH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Randolph County is hereby authorized to employ three Deputies, and a Jailor. Each Deputy and Jailor shall receive a salary to be fixed by the county governing body up to a maximum of \$400.00 per month and the Chief Deputy shall receive a

salary to be fixed by the county governing body up to a maximum of \$500.00 per month. The salary of the Chief Deputy, Jailor and each Deputy shall be paid from the General Fund of the county or such funds as authorized by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

R. T. BAILEY.

Sworn to and subscribed before me July 31, 1969.

JOE T. BRENT,
Notary Public.

By Mr. Brassell:

H. 1332. To apply to all counties having populations of not less than 46,000 nor more than 46,500 according to the most recent federal decennial census and in which a special juvenile court has been established; to authorize the appointment of a probation officer to serve such court and to prescribe his qualifications, duties and authority; to authorize and direct the commissioner of the state department of pensions and security to pay a portion of said probation officer's salary out of certain funds available to said department under certain conditions and to provide that the remainder of his salary and all other expenses shall be paid on a pro rata basis by the governing bodies of the county and of the largest city therein of all counties to which this act applies.

Local Legislation No. 1.

By Mr. Brassell (with notice and proof):

H. 1333. To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Local Legislation No. 1.

Notice and Proof H. 1333:

STATE OF ALABAMA COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In any case, action or proceeding hereafter filed, whether at law or in equity in the circuit court of Russell County or in the court of common pleas of Russell County, there is hereby authorized to be charged a tax of \$2.00 which tax shall be in addition to all other court costs heretofore authorized to be charged. The costs taxed under this act shall be collected as other costs in such cases are collected, and when collected by the clerks or other collecting officers of such courts (including the register of the circuit court) shall be by them paid over to the treasurer or depository of Russell County for deposit in the county treasury. The sums so paid over to the county treasurer or depository shall be maintained in a separate fund in the county treasury, designated as the Russell County law library fund, and shall be expended by the judge of the circuit court of Russell County for establishing, maintaining, equipping, and operating a law library in the courthouse at Phenix City, such funds to be expended, in the discretion of the judge, to provide furniture, fixtures, supplies and equipment for the library, and to keep the same in a good state of maintenance and repair; to establish, enlarge, expand, and improve the library and its facilities and equipment; to provide books, reports and periodicals for the library, and to pay the compensation of such personnel as may be necessary and proper, in the opinion of the judge, to operate the library. Said judge shall be authorized to appoint either the register or the clerk of the circuit court to be librarian. The judge of the circuit court shall draw warrants on the county treasury in making expenditures for the purposes contemplated in this act, and shall indicate on the warrants the fund against which the warrants are drawn. The said items of costs above referred to shall be designated as law library fee. On or before the tenth of each month, the clerks or other collecting officers of the respective courts (including the register of the circuit court) shall pay over to the county treasurer or depository all amounts collected as law library fees previously to the first day of the month. The management of the law library is vested in the judge of the circuit court of Russell County, and all books, periodicals, reports and personal property purchased with the funds produced by this act shall be the property of Russell County, Alabama; provided, however, that said judge may from time to time sell or exchange such books, reports, periodicals, and personal property as may be necessary to keep said library up to date and apply the proceeds of the sale thereof or the value thereof upon the purchase of other books, reports, periodicals, and personal property for use in said library. The judge may accept any gift or loan of any books, reports, periodicals, and other property for public use in said library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said judge.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of October 1969.

NOTICE OF PUBLICATION

STATE OF ALABAMA RUSSELL COUNTY

Before me, the undersigned authority, personally appeared Jane Gullatt, who after being duly sworn, deposes and says: That she is publisher of The Phenix Citizen-Herald, a newspaper published in Phenix City, Russell County, Alabama, in the Eenglish language, and said newspaper having been published consecutively for more than twelve months and mailed as second class mail matter in the United States Post Office at Phenix City, Alabama, and that said newspaper has a general circulation in Phenix City, Russell County, Alabama, and that the attached notice of publication pertaining to A Bill, Public Law Library, appeared in The Phenix Citizen on the following dates: June 26, 1969; July 3, 1969; July 10, 1969; July 17, 1969.

JANE GULLATT,
Publisher.

Sworn to and subscribed before me on this the 30th day of July, 1969.

DIXIE G. HOLT,
Notary Public.

By Messrs. Bolton and Smith:

H. 1334. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Local Legislation No. 1.

By Messrs. Smith and Bolton:

H. 1335. To establish a barber commission in counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; to define its duties and powers; and to authorize the county governing body to furnish such commission office space, fixtures and clerical assistance; to fix and provide for payment of the compensation of the commissioners.

Local Legislation No. 1.

By Messrs. Smith and Bolton:

H. 1336. Relating to counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; providing further for the distribution of fines from convictions in certain cases of traffic violations.

Local Legislation No. 1.

By Mr. Harper (with notice and proof):

H. 1337. To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and

to pay a certain sum to the estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

Local Legislation No. 1.

Notice and Proof H. 1337:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and to pay a certain sum to the Estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners or other like governing body of Tallapoosa County is hereby authorized to pay from any funds in the county treasury not otherwise appropriated the following sums for the relief of the following persons to compensate them for personal injuries sustained and for hospital and medical expenses incurred as a result of an accident while such persons were in the employ of the county and engaged in their regular duties, when a tractor owned by the county overturned and injured such persons: to Houston Harper, the sum of \$1,500 and for the remainder of his life \$75.00 per month; to M. L. McCoy, the sum of \$1,500 and for the remainder of his life \$75.00 per month; to the estate of Floyd Patterson, an employee of the county who died as a result of injuries sustained in the same accident, the sum of \$1,500. The accident occurred under such circumstances that the county is justly and morally obligated to pay the damages, but the said Houston Harper and M. L. McCoy and the estate of Floyd Patterson have no recourse at law to recover the same.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook, published weekly at Alexander City, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issues of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 26, 1969, and ending with the issue dated July 17, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 17th day of July, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

By Messrs. Culver, Bank and Robertson:

H. 1338. To amend Code of Alabama 1940, Title 29, Section 45, relating to the payment of taxes on alcoholic beverages through the use of stamps, crowns or lids, so as to provide for the use of such tax.

Ways and Means.

By Mr. Dobbs:

H. 1339. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge:

H. 1340. Relating to counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Local Legislation No. 1.

By Messrs. Laxson, McLain, Jones, Grainger and Pennington:

H. 1341. To establish in Alabama a state commission to be known as The Commission For The Preservation of Historic Cemeteries; providing for the membership of the commission and for the terms of office, compensation, duty and authority of the commissioners, and making an appropriation to the use of the commission.

Ways and Means.

By Messrs. Pennington, Grainger, Jones, McLain, Laxson, Starnes, Meade, Manley, Hill, Bank, Brown, Beck, Lybrand, Grayson, McElhaney, Owens (W.E.), Williams, Doss, Culver, Robertson, Cook (Jefferson), House, Lyons, Hobbie, McDonald, Bolton, Smith, Cook (Coffee), McCorquodale, Shumate, Money, Gloor, Jackson (T), Pruitt, Burgence and Tuck:

H. 1342. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than \$4,000,000 in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville, and the University of Alabama at Huntsville.

Ways and Means.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdic-

tion of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Also:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Also:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Also:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Also:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement;

to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Also:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Also:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Also:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, Et Seq.), as amended, entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

Also:

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

Also:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Also:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Also:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Also:

H. 90. To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Also:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Also:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

Also:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

Also:

H. J. R. 73. Naming the classroom building at Yancey State Junior College, "Ernest Stone Hall".

Also:

H. J. R. 81. Mourning the death of Kenneth L. Spencer, Jr., courageous Patrolman of the Birmingham City Police Department.

Also:

H. J. R. 83. Applauding the mayor, city officials of Eufaula and the Bass Anglers Sportsman Society for the outstanding success of the National Bass Tournament.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolutions, to-wit:

H. J. R. 51. Renaming Wenonah State Junior College the Theodore Alfred Lawson Junior College.

Also:

H. J. R. 92. Inviting Dr. Werhner Von Braun to address a joint session of the Legislature on July 29, 1969.

Also:

H. J. R. 93. Inviting Major General Charles W. Eifler, Commanding General of the Army Missile Command at Redstone Arsenal, to be a special guest of the joint session of the Legislature on July 29, 1969.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Also:

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Also:

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Also:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legis-

lature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Also:

H. 821. To authorize any city of this state having a population of 300,000 or more inhabitants, according to the last or any subsequent federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Also:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars (\$3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

Also:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Also:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Also:

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Also:

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Also:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

Also:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Also:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Also:

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Also:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Also:

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Also:

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

Also:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

Also:

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

Also:

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Also:

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Also:

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Also:

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Also:

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Also:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Also:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Also:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Also:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

Also:

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Also:

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Also:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Also:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Also:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Also:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

Also:

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Also:

H. 935. To provide for the compensation of jurors in Jackson County.

Also:

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

Also:

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Also:

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

Also:

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Also:

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Also:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

Also:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

Also:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

Also:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

Also:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Also:

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 815. Relating to the Thirsty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

Also:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

Also:

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Also:

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Also:

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Also:

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Also:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

Also:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

Also:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Also:

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Also:

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Also:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

Also:

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolutions, to-wit:

H. J. R. 84. Relative to certain employees covered under House Joint Resolution 74, Act No. 324 approved September 1, 1955, being eligible for coverage in the Employees' Retirement System of Alabama.

Also:

H. J. R. 62. Expressing regret upon the death of Mrs. Douglas L. Folsom, State Superintendent of Education of the State of Arizona.

Also:

H. J. R. 63. Urging the Governor to proclaim the week of May 24 through 30 of each year as National Memorial Week in honor of the Disabled American Veterans.

Also:

H. J. R. 66. Extending good wishes and welcoming to Alabama Dr. Charles David Hounshell, President of Birmingham-Southern College.

Also:

H. J. R. 67. Soliciting the efforts of all Alabamians and all Marines in supporting the endeavor to perpetuate the memory of Four Star Marine General Holland M. Smith.

Also:

H. J. R. 74. Commending the Geneva County High School Band and its Director, Mr. Norman R. Dasinger, for their splendid performance in the New Orleans Mardi Gras parade.

Also:

H. J. R. 70. Extending congratulations and commending Pat W. Mysinger of Northport for his gallant behavior in aiding a fellow guardsman in an accident.

Also:

H. J. R. 68. Mourning the death of Mr. John Noble Graham.

Also:

H. J. R. 69. Mourning the death of Richard A. Curley of Talladega.

Also:

H. J. R. 91. Expressing regret upon the death of the Honorable Joe Alex Killian, former Director of the International Trade Center at the Port of Mobile.

Also:

H. J. R. 95. Mourning the death of Mr. Robert R. (Bob) Chesnutt.

Also:

H. J. R. 87. Commending Dr. Wernher von Braun and his outstanding team at Huntsville for their achievements in the Space Program.

Also:

H. J. R. 96. Extending best wishes to Mrs. Sara F. Blackerby upon her retirement.

Also:

H. J. R. 97. Designating "Frank Anthony Rose Hall" and "Tommye Stewart Rose Tower" at the University of Alabama in honor of Dr. and Mrs. Rose.

Also:

H. J. R. 98. Commending Clinton B. (Kiki) Smith upon his selection to represent Alabama at Boys' Nation.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Also:

H. 459. Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Also:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Also:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

Also:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislation of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

Also:

H. 279. To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Grayson, Watkins, Headley, Paulk, Foshee, Jackson (F), Harris, Brannan, Owen (Baldwin), Mays, Hardin, Bassett, Collins (W), Bank, Laxson, Owens (W.E.), Grainger, Jackson (T), Gloor, Holman, Jones, Brown, Money, Hill, Stubbs, Haygood, Williams, Berryman (W), Starnes, Crawford, Harper, Wood, Perloff and Shumate:

H. J. R. 109. Whereas, the United States House of Representatives has initiated a realistic approach to public education in America by passing an anti-busing amendment which if passed by the United States Senate and becomes law shall put a stop to our public schools being used by Washington bureaucrats as experimental projects to advance their sociological theories regardless of harm done to our children and the destruction of our schools.

Whereas, the Governor of the State of Alabama, The Honorable Albert P. Brewer has expressed hope that Congress will take strong action to see that its mandate is followed by the Department of Health,

Education and Welfare, the Justice Department and the courts, including "the cutting off of funds to these departments if necessary."

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING THEREIN:

That the United States Senate also pass the "anti-busing amendment" which was recently passed by the United States House of Representatives as quickly as possible and that The President of the United States is respectfully urged to support said legislation.

BE IT FURTHER RESOLVED, That the Secretary of State be instructed to send copies of this resolution to the President of the United States and to each member of the United States Senate.

On motion of Mr. Grayson, the rules were suspended and H. J. R. 109 was adopted.

Also:

By Messrs. Ellis, Gloor, Adwell, Jackson (T), Money, Gafford, Watkins, Sessions, Yeilding, Dill, Cook (Jefferson), Meeks, Waggoner, Holman, Weeks, Kilgore and Bowers:

H. J. R. 110. WHEREAS, the U. S. Department of Health, Education and Welfare and its enforcement arm, the U. S. Department of Justice, has filed suits against Board's of Education in Jefferson County to further integrate the schools of said county; and,

WHEREAS, the Department of Health, Education and Welfare's proposed plan closed seventeen schools in the third largest school system in Alabama, creating overcrowded conditions and providing no room for future growth; and,

WHEREAS, the Department of Health, Education and Welfare has also proposed drastic changes in the largest school transportation system in the state, causing the Board of Education to buy more buses and hire more drivers and increase operating cost; and,

WHEREAS, the Department of Health, Education and Welfare goes far beyond the intent and purpose of the Civil Rights Act of Congress when it has asked that staff and teacher assignments be the prerogative of the federal courts instead of the board of education, it also has gone further in a sociological field than before, by suggesting a biracial advisory committee to advise and police the board in implementation of its plan; and,

WHEREAS, the Department of Health, Education and Welfare, now seeks to enter the field of curriculum selection suggesting remedial programs in reading and math and increased courses in Negro history, culture, and contributions; thereby, stripping the board of education of its last prestige of authority and further increasing its cost of operation and even suggesting that a complete reorganization of the school system may be necessary which would create complete chaos; and,

WHEREAS, the Legislature of this state has in an extraordinary session for education in this year, recognizing the importance of education for our children and has tried to raise the state from the bottom in aid to education, imposed taxes estimated at \$30 million dollars on the people of Alabama which is a poor state and this was done despite the fact that the Department of Health, Education and Welfare and the Justice Department has closed \$25 million dollars worth of schools in Alabama, some of which were totally new; and,

WHEREAS, the education acts passed by Congress has noted that first federal aid was needed in the so-called "impact areas", such as

where military bases are located, to relieve overcrowding of students so their education would not be hindered by lack of buildings and facilities, but now the Department of Health, Education and Welfare, and the Justice Department insist that integration is more important than education and has asked the courts to close schools in Jefferson County costing millions of dollars and requiring the expenditure of more than \$13 million dollars in two years to implement their plan of forced integration.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That be it resolved by the Alabama Legislature in regular session, thereby calling on the President of the United States and the Congress for financial relief from this burden imposed on this county and state against our will; and,

Be it further resolved that the Federal Government pay the entire cost of renovation, construction, and reorganization necessary to implement this court ordered forced integration of our schools; and,

Be it finally resolved, that copies of this resolution be sent to members of Congress and the President of the United States.

On motion of Mr. Ellis, the rules were suspended and H. J. R. 110 was adopted.

Also:

By Messrs. Melton, Manley and Wood:

H. J. R. 111. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the multi-purpose building at Patrick Henry State Junior College be named and known as Roland Cooper Hall, as a fitting tribute to the Honorable Roland Cooper, who has served the cause of education with dedication and inspirational leadership as a State Senator, and who has displayed untiring efforts in behalf of Patrick Henry State Junior College and the surrounding community.

On motion of Mr. Melton, the rules were suspended and H. J. R. 111 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

McDOWELL LEE,
Secretary.

SENATE AMENDMENT TO H. B. 342

Amendment to H.B. 342,

Add at the end of the bill a new section to be numbered accordingly:

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Amendment to H.B. 342, as amended

In Section 4, strike out the words and figures: The provisions of this Act shall not apply in counties having populations of not less than 60,500 nor more than 65,000, according to the most recent federal decennial census.

Amendment to H.B. 342, as amended

In Section 4, add at the end thereof the following paragraph: The provisions of this Act shall not apply in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census.

SENATE MESSAGE

Mr. McElhaney moved that the House concur in and adopt the Senate amendment to the bill, H. 342, which amendment is contained in the above and foregoing Message from the Senate.

Mr. Pruitt offered a substitute motion that the House non-concur in the Senate amendment to the bill, H. 342, set out in the above and foregoing Message from the Senate.

Mr. McElhaney moved to table the substitute motion of Mr. Pruitt to non-concur.

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 35; Nays 61.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Beck	Doss	Kilgore	Pruitt
Berryman (W)	Downing	Lemley	Robertson
Blanton	Fine	Meade	Shumate
Brannan	Garrett	Melton	Starnes
Burgess	Grayson	Merrill	Steagall
Collier	Hain	Neville	Stembridge
Cook (Coffee)	Harper	Owen (Baldwin)	Weeks
Crawford	Headley	Paulk	

—35

Nays:

Messrs.:	Edington	Jackson (T)	Owens (W)
Adwell	Ellis	Jones	Owens (W.E.)
Agee	Foshee	Laxson	Pennington
Bank	Gafford	Lybrand	Sessions
Bassett	Gloor	Malone	Slate
Bolton	Graham	Manley	Smith
Bowers	Grainger	Marr	Springer
Brassell	Hardin	Mays	Stubbs
Burgreen	Harris	McCorquodale	Tuck
Cameron	Haygood	McDonald	Waggoner
Cherner	Higginbotham	McElhaney	Watkins
Collins (C)	Hill	McLain	Williams
Collins (W)	Hobbie	Meeks	Wright
Cook (Jefferson)	Holladay	Money	Yielding
Culver	House	Nettles	Young
Drake	Jackson (F)		

—61

The question was on the motion of Mr. McElhaney to table the substitute motion of Mr. Pruitt to non-concur in the Senate amendment to the bill, H. 342, and the substitute motion to non-concur was tabled.

Yeas 51; Nays 47.

Yeas:

Messrs.:	Edington	Lemley	Pearson
Bank	Gloor	Lybrand	Perloff
Bolton	Graham	Lyons	Sessions
Brassell	Grayson	Malone	Snell
Burgess	Harris	Manley	Springer
Burgreen	Higginbotham	McElhaney	Steagall
Cameron	Hill	McLain	Tuck
Cherner	Hobbie	Meade	Waggoner
Collins (C)	Holman	Meeks	Watkins
Cook (Coffee)	House	Merrill	Weeks
Cook (Jefferson)	Jackson (T)	Nettles	Williams
Culver	Jones	Owen (Baldwin)	Wood
Downing	Kilgore	Owens (W.E.)	Wright

—51

Nays:

Mr. Speaker	Dobbs	Headley	Pennington
Agee	Doss	Holladay	Pruitt
Bassett	Drake	Jackson (F)	Robertson
Beck	Ellis	Laxson	Shumate
Berryman (W)	Fine	Marr	Slate
Blanton	Foshee	Mays	Starnes
Brannan	Gafford	McCorquodale	Stembridge
Brown	Garrett	McDonald	Stubbs
Collier	Grainger	Melton	Turnham
Collins (W)	Hain	Money	Yeilding
Crawford	Hardin	Owens (W)	Young
Dill	Harper	Paulk	

—47

MOTION TO CARRY OVER LOST

The motion of Mr. Turnham that the bill, H. 342, be carried over to the twenty-eighth legislative day was lost.

Yeas 46; Nays 51.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pennington
Agee	Ellis	Laxson	Pruitt
Bassett	Fine	Marr	Robertson
Beck	Foshee	Mays	Shumate
Berryman (W)	Gafford	McCorquodale	Slate
Blanton	Garrett	McDonald	Stembridge
Brannan	Grainger	Melton	Stubbs
Brown	Hain	Neville	Tuck
Collier	Hardin	Owens (W)	Turnham
Crawford	Harper	Paulk	Yeilding
Dobbs	Haygood	Pearson	Young
Doss	Headley		

—46

Nays:

Messrs.:	Edington	Kilgore	Owen (Baldwin)
Bank	Gloor	Lemley	Owens (W.E.)
Bolton	Graham	Lybrand	Perloff
Brassell	Grayson	Lyons	Sessions
Burgess	Harris	Malone	Snell
Burgreen	Higginbotham	Manley	Springer
Collins (C)	Hill	McElhaney	Starnes
Collins (W)	Hobbie	McLain	Waggoner
Cook (Coffee)	Holladay	Meade	Watkins
Cook (Jefferson)	Holman	Meeks	Weeks
Culver	House	Merrill	Williams
Dill	Jackson (T)	Money	Wood
Downing	Jones	Nettles	Wright

—51

MOTION TO CARRY OVER LOST

The motion of Mr. Slate that the bill, H. 342, be carried over to the twenty-seventh legislative day was lost.

Yeas 47; Nays 51.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pennington
Agee	Drake	Marr	Pruitt
Bassett	Ellis	Mays	Robertson
Beck	Fine	McCorquodale	Shumate
Berryman (W)	Foshee	McDonald	Slate
Blanton	Gafford	Meade	Starnes
Brannan	Garrett	Melton	Stembridge
Burgreen	Hain	Neville	Stubbs
Collier	Hardin	Owen (Baldwin)	Turnham
Collins (W)	Harper	Owens (W)	Yeilding
Crawford	Haygood	Paulk	Young
Dobbs	Headley	Pearson	

—47

Nays:

Messrs.:	Edington	Jones	Nettles
Bank	Gloor	Kilgore	Owens (W.E.)
Bolton	Graham	Laxson	Perloff
Brassell	Grainger	Lemley	Sessions
Burgess	Grayson	Lybrand	Snell
Cameron	Harris	Lyons	Springer
Cherner	Higginbotham	Malone	Tuck
Collins (C)	Hill	Manley	Waggoner
Cook (Coffee)	Hobbie	McElhaney	Watkins
Cook (Jefferson)	Holladay	McLain	Weeks
Culver	Holman	Meeks	Williams
Dill	House	Merrill	Wood
Downing	Jackson (T)	Money	Wright

—51

MOTION FOR NON-CONCURRENCE AND CONFERENCE
COMMITTEE

Mr. Burgess moved that the House non-concur in the Senate amendment to the bill, H. 342, and requested a Committee of Conference.

SUBSTITUTE MOTION TO CARRY OVER LOST

Mr. Doss offered a substitute motion to the motion of Mr. Burgess that the House carry over the bill, H. 342, to the twenty-seventh legislative day, and the motion of Mr. Doss was lost.

Yeas 48; Nays 51.

Yeas:

Mr. Speaker	Dobbs	Haygood	Pearson
Agee	Doss	Headley	Pennington
Bassett	Drake	Holladay	Pruitt
Beck	Ellis	Jackson (F)	Robertson
Berryman (W)	Fine	Mays	Shumate
Blanton	Foshee	McCorquodale	Slate
Brannan	Gafford	McDonald	Stembridge
Burgess	Garrett	Meade	Stubbs
Burgreen	Grainger	Melton	Tuck
Collier	Hain	Neville	Turnham
Collins (W)	Hardin	Owens (W)	Yeilding
Crawford	Harper	Paulk	Young

—48

Nays:

Messrs.:	Edington	Laxson	Owen (Baldwin)
Adwell	Gloor	Lemley	Owens (W.E.)
Bank	Graham	Lybrand	Perloff
Bolton	Grayson	Lyons	Sessions
Brassell	Harris	Malone	Snell
Cameron	Higginbotham	Manley	Springer
Cherner	Hill	Marr	Starnes
Collins (C)	Hobbie	McElhaney	Waggoner
Cook (Coffee)	Holman	McLain	Watkins
Cook (Jefferson)	House	Meeks	Weeks
Culver	Jackson (T)	Merrill	Williams
Dill	Jones	Money	Wood
Downing	Kilgore	Nettles	Wright

—51

MOTION TO ADJOURN LOST

The motion of Mr. Turnham that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 39; Nays 62.

Yeas:

Mr. Speaker	Crawford	Harper	Owen (Baldwin)
Agee	Dill	Headley	Paulk
Bassett	Dobbs	Kilgore	Pearson
Beck	Doss	Lemley	Pruitt
Berryman (W)	Drake	Mays	Shumate
Blanton	Fine	McCorquodale	Steagall
Brannan	Gafford	Meade	Stembridge
Brown	Garrett	Melton	Turnham
Burgreen	Hain	Money	Young
Collier	Hardin	Neville	

—39

Nays:

Messrs.:	Foshee	Laxson	Sessions
Adwell	Gloor	Lybrand	Slate
Bank	Graham	Lyons	Smith
Bolton	Grainger	Malone	Snell
Brassell	Grayson	Manley	Springer
Burgess	Harris	Marr	Starnes
Cameron	Haygood	McDonald	Stubbs
Cherner	Higginbotham	McElhaney	Tuck
Collins (C)	Hill	McLain	Waggoner
Collins (W)	Hobbie	Meeks	Watkins
Cook (Coffee)	Holladay	Merrill	Weeks
Cook (Jefferson)	Holman	Nettles	Williams
Culver	House	Owens (W.E.)	Wood
Downing	Jackson (F)	Pennington	Wright
Edington	Jackson (T)	Perloff	Yeilding
Ellis	Jones	Robertson	

—62

MOTION FOR NON-CONCURRENCE AND CONFERENCE
COMMITTEE

Mr. Turnham offered a substitute motion that the House non-concur in the Senate amendment to the bill, H. 342, and requested a Committee of Conference.

The motion of Mr. McElhaney that the substitute motion of Mr. Turnham be tabled was lost.

Yeas 49; Nays 50.

Yeas:

Messrs.:	Downing	Lemley	Pearson
Adwell	Edington	Lybrand	Pennington
Bank	Gloor	Lyons	Perloff
Bolton	Graham	Malone	Sessions
Brassell	Grayson	Manley	Snell
Cameron	Harris	Mays	Springer
Cherner	Higginbotham	McElhaney	Waggoner
Collins (C)	Hill	McLain	Watkins
Cook (Coffee)	Hobbie	Meeks	Weeks
Cook (Jefferson)	Holman	Merrill	Williams
Crane	House	Nettles	Wood
Culver	Jackson (T)	Owens (W.E.)	Wright
Dill	Kilgore		

—49

Nays:

Mr. Speaker	Dobbs	Holladay	Pruitt
Agee	Doss	Jackson (F)	Robertson
Bassett	Drake	Jones	Shumate
Beck	Ellis	Laxson	Slate
Berryman (W)	Fine	Marr	Starnes
Blanton	Foshee	McCorquodale	Steagall
Brannan	Gafford	McDonald	Stembridge
Brown	Garrett	Meade	Stubbs
Burgess	Grainger	Melton	Tuck
Burgreen	Hain	Money	Turnham
Collier	Hardin	Owens (W)	Yeilding
Collins (W)	Harper	Paulk	Young
Crawford	Headley		

—50

The question then was on the adoption of the substitute motion of Mr. Turnham to non-concur and requesting a Committee of Conference, and the substitute motion was lost.

Yeas 45; Nays 52.

Yeas:

Mr. Speaker	Culver	Headley	Pennington
Agee	Dobbs	Jackson (F)	Pruitt
Bassett	Doss	Mays	Robertson
Beck	Ellis	McCorquodale	Shumate
Berryman (W)	Fine	McDonald	Slate
Blanton	Foshee	Meade	Starnes
Brannan	Gafford	Melton	Stembridge
Brown	Garrett	Money	Stubbs
Burgess	Grainger	Owens (W)	Turnham
Burgreen	Hain	Paulk	Yeilding
Collins (W)	Hardin	Pearson	Young
Crawford			

—45

Nays:

Messrs.:	Edington	Lemley	Owens (W.E.)
Adwell	Gloor	Lybrand	Perloff
Bank	Graham	Lyons	Sessions
Bolton	Grayson	Malone	Snell
Brassell	Harris	Manley	Springer
Cameron	Higginbotham	Marr	Steagall
Cherner	Hill	McElhanev	Tuck
Collier	Hobbie	McLain	Waggoner
Collins (C)	Holladay	Meeks	Watkins
Cook (Coffee)	Holman	Merrill	Weeks
Cook (Jefferson)	House	Nettles	Williams
Crane	Jackson (T)	Neville	Wood
Dill	Kilgore	Owen (Baldwin)	Wright
Downing			

—52

MOTION TO ADJOURN LOST

The motion of Mr. Turnham that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 39; Nays 61.

Yeas:

Mr. Speaker	Crawford	Headley	Pearson
Agee	Dobbs	Lemley	Pruitt
Bassett	Doss	Mays	Robertson
Beck	Drake	McCorquodale	Shumate
Berryman (W)	Fine	Meade	Starnes
Bowers	Gafford	Melton	Steagall
Brannan	Garrett	Money	Stembridge
Brown	Hain	Neville	Turnham
Burgreen	Hardin	Owen (Baldwin)	Young
Collier	Harper	Paulk	

—39

Nays:

Messrs.:	Brassell	Collins (C)	Culver
Adwell	Burgess	Collins (W)	Dill
Bank	Cameron	Cook (Coffee)	Downing
Bolton	Cherner	Cook (Jefferson)	Edington

Foshee	Jackson (F)	McLain	Snell
Graham	Jackson (T)	Meeks	Springer
Grainger	Jones	Merrill	Stubbs
Grayson	Kilgore	Nettles	Tuck
Harris	Laxson	Owens (W)	Waggoner
Haygood	Lybrand	Owens (W.E.)	Watkins
Higginbotham	Lyons	Pennington	Weeks
Hill	Malone	Perloff	Williams
Hobbie	Manley	Sessions	Wood
Holladay	Marr	Slate	Wright
Holman	McDonald	Smith	Yeilding
House	McElhaney		

—61

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until two o'clock P. M., Thursday, August 7, 1969, was lost.

Yeas 38; Nays 60.

Yeas:

Mr. Speaker	Dill	Laxson	Pruitt
Agee	Dobbs	Lemley	Robertson
Beck	Doss	McCorquodale	Shumate
Berryman (W)	Drake	Meade	Starnes
Bowers	Fine	Melton	Steagall
Brannan	Gafford	Neville	Stembridge
Brown	Garrett	Owen (Baldwin)	Turnham
Burgreen	Hain	Paulk	Yeilding
Collier	Harper	Pearson	Young
Crawford	Headley		

—38

Nays:

Messrs.:	Gloor	Kilgore	Pennington
Bank	Graham	Lybrand	Perloff
Bassett	Grainger	Lyons	Sessions
Bolton	Grayson	Malone	Slate
Brassell	Harris	Manley	Smith
Burgess	Haygood	Marr	Snell
Cameron	Higginbotham	McDonald	Springer
Cherner	Hill	McElhaney	Stubbs
Collins (C)	Hobbie	McLain	Tuck
Collins (W)	Holladay	Meeks	Waggoner
Cook (Coffee)	Holman	Merrill	Watkins
Cook (Jefferson)	House	Money	Weeks
Culver	Jackson (F)	Nettles	Williams
Downing	Jackson (T)	Owens (W)	Wood
Edington	Jones	Owens (W.E.)	Wright
Foshee			

—60

MOTION TO RESOLVE INTO A COMMITTEE OF THE WHOLE
TABLED

Mr. Turnham moved that the House resolve itself into a Committee of the Whole House, and on motion of Mr. McElhaney, the motion of Mr. Turnham was tabled.

Yeas 56; Nays 42.

Yeas:

Messrs.:	Gloor	Lemley	Owens (W.E.)
Adwell	Graham	Lybrand	Pearson
Bank	Grayson	Lyons	Perloff
Bolton	Harris	Malone	Sessions
Brassell	Higginbotham	Manley	Snell
Cameron	Hill	Marr	Springer
Cherner	Hobbie	McDonald	Starnes
Collins (C)	Holladay	McElhaney	Tuck
Collins (W)	Holman	McLain	Waggoner
Cook (Coffee)	House	Meeks	Watkins
Cook (Jefferson)	Jackson (T)	Merrill	Weeks
Culver	Jones	Money	Williams
Dill	Kilgore	Nettles	Wood
Downing	Laxson	Owen (Baldwin)	Wright
Edington			

—56

Nays:

Mr. Speaker	Doss	Haygood	Pennington
Agee	Drake	Headley	Pruitt
Bassett	Ellis	Jackson (F)	Robertson
Beck	Fine	Mays	Shumate
Berryman (W)	Foshee	McCorquodale	Slate
Blanton	Gafford	Meade	Stembridge
Burgess	Garrett	Melton	Stubbs
Burgreen	Grainger	Neville	Turnham
Collier	Hain	Owens (W)	Yelding
Crawford	Hardin	Paulk	Young
Dobbs	Harper		

—42

MOTION TO SUSPEND THE RULES LOST

The motion of Mr. Tuck to suspend the rules to introduce a local bill out of order was lost.

Yeas 62; Nays 18.

Yeas:

Mr. Speaker	Doss	Lemley	Robertson
Agee	Drake	Manley	Shumate
Bank	Fine	Marr	Slate
Bassett	Foshee	McCorquodale	Smith
Beck	Gafford	McDonald	Snell
Berryman (W)	Grainger	McElhaney	Starnes
Brassell	Grayson	McLain	Steagall
Brown	Hain	Meeks	Stembridge
Burgess	Hardin	Melton	Tuck
Burgreen	Harper	Neville	Turnham
Cameron	Haygood	Owens (W.E.)	Waggoner
Collier	Headley	Paulk	Weeks
Collins (W)	Higginbotham	Pearson	Wood
Crawford	Hobbie	Pennington	Wright
Culver	Jackson (F)	Pruitt	Young
Dobbs	Jones		

—62

Nays:

Messrs.:	Edington	Jackson (T)	Money
Collins (C)	Gloor	Kilgore	Nettles
Cook (Jefferson)	Harris	Laxson	Sessions
Dill	Holman	Lyons	Springer
Downing	House	Malone	

—18

MOTION TO CARRY OVER H. 342

Mr. Doss moved that the bill, H. 342, be carried over for two hours.

The motion of Mr. McElhaney to table the motion of Mr. Doss was lost.

Yeas 48; Nays 50.

Yeas:

Messrs.:	Gloor	Lemley	Owens (W.E.)
Adwell	Graham	Lybrand	Perloff
Bank	Grayson	Lyons	Sessions
Brassell	Harris	Malone	Snell
Cameron	Higginbotham	Manley	Springer
Cherner	Hill	McDonald	Tuck
Collins (C)	Hobbie	McElhaney	Waggoner
Cook (Coffee)	Holladay	McLain	Watkins
Cook (Jefferson)	Holman	Meeks	Weeks
Culver	House	Merrill	Williams
Dill	Jackson (T)	Nettles	Wood
Downing	Kilgore	Owen (Baldwin)	Wright
Edington			

—48

Nays:

Mr. Speaker	Dobbs	Headley	Pearson
Agee	Doss	Jackson (F)	Pennington
Bassett	Drake	Jones	Pruitt
Beck	Ellis	Marr	Robertson
Berryman (W)	Fine	Mays	Slate
Blanton	Foshee	McCorquodale	Starnes
Brannan	Gafford	Meade	Steagall
Brown	Garrett	Melton	Stembridge
Burgess	Grainger	Money	Stubbs
Burgreen	Hain	Neville	Turnham
Collier	Hardin	Owens (W)	Yeilding
Collins (W)	Harper	Paulk	Young
Crawford	Haygood		

—50

The question was on the adoption of the motion of Mr. Doss that the bill, H. 342, be carried over for two hours, and the motion was lost.

Yeas 46; Nays 50.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pruitt
Agee	Ellis	Jones	Robertson
Bassett	Fine	Mays	Shumate
Berryman (W)	Foshee	McCorquodale	Slate
Blanton	Gafford	McDonald	Starnes
Brannan	Garrett	Meade	Steagall
Burgess	Grainger	Melton	Stembridge
Burgreen	Hain	Neville	Stubbs
Collier	Hardin	Owens (W)	Turnham
Crawford	Harper	Paulk	Yeilding
Dobbs	Haygood	Pennington	Young
Doss	Headley		

—46

Nays:

Messrs.:	Edington	Lybrand	Pearson
Adwell	Gloor	Lyons	Perloff
Bank	Graham	Malone	Sessions
Brassell	Grayson	Manley	Snell
Cameron	Harris	Marr	Springer
Cherner	Higginbotham	McElhaney	Tuck
Collins (C)	Hill	McLain	Waggoner
Collins (W)	Hobbie	Meeks	Watkins
Cook (Coffee)	Holman	Merrill	Weeks
Cook (Jefferson)	House	Money	Williams
Culver	Jackson (T)	Nettles	Wood
Dill	Kilgore	Owen (Baldwin)	Wright
Downing	Lemley	Owens (W.E.)	

—50

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 45; Nays 50.

Yeas:

Mr. Speaker	Doss	Mays	Pruitt
Agee	Drake	McCorquodale	Robertson
Bassett	Foshee	McDonald	Shumate
Berryman (W)	Gafford	Meade	Starnes
Blanton	Garrett	Melton	Steagall
Brannan	Hain	Money	Stembridge
Brown	Hardin	Neville	Tuck
Burgreen	Harper	Owen (Baldwin)	Turnham
Collier	Haygood	Owens (W)	Wood
Crawford	Headley	Paulk	Yeilding
Dill	Jackson (F)	Pearson	Young
Dobbs			

—45

Nays:

Messrs.:	Edington	Jackson (T)	Perloff
Bank	Fine	Jones	Sessions
Bolton	Gloor	Lybrand	Slate
Brassell	Graham	Lyons	Smith
Burgess	Grainger	Manley	Snell
Cameron	Grayson	Marr	Springer
Cherner	Harris	McElhaney	Stubbs
Collins (C)	Higginbotham	McLain	Waggoner
Collins (W)	Hill	Meeks	Watkins
Cook (Coffee)	Hobbie	Merrill	Weeks
Cook (Jefferson)	Holladay	Nettles	Williams
Culver	Holman	Owens (W.E.)	Wright
Downing	House	Pennington	

—50

MOTION TO ADJOURN LOST

The motion of Mr. Haygood that the House adjourn until one o'clock P. M., Thursday, August 7, 1969, was lost.

Yeas 42; Nays 50.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Agee	Doss	McCorquodale	Pruitt
Bassett	Fine	McDonald	Robertson
Berryman (W)	Gafford	Meade	Shumate
Blanton	Garrett	Melton	Slate
Brannan	Hain	Money	Steagall
Brown	Hardin	Neville	Stembridge
Burgreen	Harper	Owen (Baldwin)	Turnham
Collier	Haygood	Owens (W)	Yeilding
Crawford	Headley	Paulk	Young
Dill	Jackson (F)		

—42

Nays:

Messrs.:	Edington	Jackson (T)	Perloff
Bank	Foshee	Jones	Sessions
Bolton	Gloor	Lybrand	Snell
Brassell	Graham	Lyons	Springer
Burgess	Grainger	Manley	Stubbs
Cameron	Grayson	Marr	Tuck
Cherner	Harris	McElhaney	Waggoner
Collins (C)	Higginbotham	McLain	Watkins
Collins (W)	Hill	Meeks	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Culver	Holman	Owens (W.E.)	Wright
Downing	House	Pennington	

—50

MOTION TO CARRY OVER H. 342

Mr. Slate moved to carry over the bill, H. 342, for 53 minutes.

On motion of Mr. McElhaney, the motion of Mr. Slate was tabled.

Yeas 48; Nays 44.

Yeas:

Messrs.:	Edington	Lybrand	Owens (W.E.)
Bank	Gloor	Lyons	Perloff
Bolton	Graham	Malone	Sessions
Brassell	Harris	Manley	Springer
Cameron	Higginbotham	Marr	Starnes
Cherner	Hill	McElhaney	Tuck
Collins (C)	Hobbie	McLain	Waggoner
Collins (W)	Holladay	Meeks	Watkins
Cook (Coffee)	Holman	Merrill	Weeks
Cook (Jefferson)	House	Money	Williams
Culver	Jackson (T)	Nettles	Wood
Dill	Kilgore	Owen (Baldwin)	Wright
Downing			

—48

Nays:

Mr. Speaker	Brannan	Crawford	Fine
Agee	Brown	Dobbs	Foshee
Bassett	Burgess	Doss	Gafford
Berryman (W)	Burgreen	Drake	Garrett
Blanton	Collier	Ellis	Grainger

Hain	Mays	Owens (W)	Shumate
Hardin	McCorquodale	Paulk	Slate
Harper	McDonald	Pearson	Stembridge
Headley	Meade	Pennington	Stubbs
Jackson (F)	Melton	Pruitt	Turnham
Jones	Neville	Robertson	Yeilding

—44

MOTION TO ADJOURN LOST

The motion of Mr. Owens (W) that the House adjourn until twelve o'clock Noon, Thursday, August 7, 1969, was lost.

Yeas 43; Nays 49.

Yeas:

Mr. Speaker	Doss	Mays	Pruitt
Agee	Drake	McCorquodale	Robertson
Bassett	Fine	McDonald	Shumate
Beck	Gafford	Meade	Starnes
Berryman (W)	Garrett	Melton	Steagall
Brannan	Hain	Money	Stembridge
Brown	Hardin	Neville	Tuck
Burgreen	Harper	Owen (Baldwin)	Turnham
Collier	Headley	Owens (W)	Wood
Crawford	Jackson (F)	Paulk	Yeilding
Dobbs	Kilgore	Pearson	

—43

Nays:

Messrs.:	Dill	House	Owens (W.E.)
Bank	Downing	Jackson (T)	Pennington
Blanton	Edington	Jones	Perloff
Bolton	Foshee	Lybrand	Sessions
Brassell	Gloor	Lyons	Slate
Burgess	Graham	Manley	Springer
Cameron	Grainger	Marr	Stubbs
Cherner	Harris	McElhaney	Waggoner
Collins (C)	Higginbotham	McLain	Watkins
Collins (W)	Hill	Meeks	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Cook (Jefferson)	Holladay	Nettles	Wright
Culver	Holman		

—49

LEAVE OF ABSENCE

On motion of Mr. Ellis, leave of absence was granted to Mr. Crane due to illness and confinement to a hospital.

MOTION TO CARRY OVER H. 342

Mr. Young moved to carry over the bill, H. 342, to the twenty-ninth legislative day.

Mr. McElhaney moved to table the motion of Mr. Young to carry over.

MOTION TO ADJOURN LOST

The motion of Mr. Doss that the House adjourn until twelve o'clock Noon, Thursday, August 7, 1969, was lost.

Yeas 45; Nays 53.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pruitt
Adwell	Drake	Mays	Robertson
Agee	Ellis	Meade	Shumate
Bassett	Fine	Melton	Starnes
Beck	Gafford	Money	Steagall
Berryman (W)	Garrett	Neville	Stembridge
Brannan	Hain	Owen (Baldwin)	Tuck
Brown	Hardin	Owens (W)	Turnham
Burgreen	Harper	Paulk	Wood
Collier	Haygood	Pearson	Yeilding
Crawford	Headley	Perloff	Young
Dobbs			

—45

Nays:

Messrs.:	Downing	Jones	Owens (W.E.)
Bank	Edington	Kilgore	Pennington
Blanton	Foshee	Lybrand	Sessions
Bolton	Gloor	Lyons	Slate
Brassell	Graham	Malone	Smith
Burgess	Grainger	Manley	Snell
Cameron	Grayson	Marr	Springer
Cherner	Harris	McDonald	Stubbs
Collins (C)	Higginbotham	McElhaney	Waggoner
Collins (W)	Hill	McLain	Watkins
Cook (Coffee)	Hobbie	Meeks	Weeks
Cook (Jefferson)	Holman	Merrill	Williams
Culver	House	Nettles	Wright
Dill	Jackson (T)		

—53

PRIVILEGES OF FLOOR

On motion of Mr. Garrett, the rules were suspended and privileges of the floor were granted for his guest, Mr. Nielson.

Yeas 80; Nays 7.

Yeas:

Mr. Speaker	Dobbs	Holladay	Pearson
Adwell	Doss	Jackson (F)	Pennington
Agee	Downing	Jones	Pruitt
Bassett	Drake	Lyons	Robertson
Berryman (W)	Edington	Malone	Shumate
Blanton	Ellis	Manley	Slate
Bolton	Fine	Marr	Snell
Brannan	Foshee	Mays	Springer
Brassell	Gafford	McCorquodale	Steagall
Brown	Garrett	McElhaney	Stembridge
Burgess	Grayson	McLain	Stubbs
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Meeks	Turnham
Collier	Harper	Melton	Waggoner
Collins (C)	Harris	Merrill	Watkins
Collins (W)	Haygood	Nettles	Weeks
Cook (Coffee)	Headley	Neville	Wood
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Wright
Crawford	Hill	Owens (W)	Yeilding
Culver	Hobbie	Paulk	Young

—80

Nays:

Messrs.:	Dill	Graham	Owens (W.E.)
Cherner	Gloor	House	Perloff

—7

The question then was on the motion of Mr. McElhaney to table the motion of Mr. Young to carry over, and Mr. Young's motion was tabled.

Yeas 50; Nays 45.

Yeas:

Messrs.:	Edington	Kilgore	Owens (W.E.)
Bank	Gloor	Laxson	Perloff
Bolton	Graham	Lybrand	Sessions
Brassell	Grayson	Lyons	Snell
Cameron	Harris	Malone	Springer
Cherner	Higginbotham	Manley	Tuck
Collins (C)	Hill	Marr	Waggoner
Collins (W)	Hobbie	McElhaney	Watkins
Cook (Coffee)	Holladay	McLain	Weeks
Cook (Jefferson)	Holman	Meeks	Williams
Culver	House	Merrill	Wood
Dill	Jackson (T)	Money	Wright
Downing	Jones	Nettles	

—50

Nays:

Mr. Speaker	Drake	Mays	Pruitt
Agee	Ellis	McCorquodale	Robertson
Bassett	Gafford	McDonald	Shumate
Berryman (W)	Garrett	Meade	Slate
Blanton	Grainger	Melton	Starnes
Brannan	Hain	Neville	Steagall
Burgess	Hardin	Owen (Baldwin)	Stembridge
Burgreen	Harper	Owens (W)	Stubbs
Collier	Haygood	Paulk	Turnham
Crawford	Headley	Pearson	Yeilding
Dobbs	Jackson (F)	Pennington	Young
Doss			

—45

MOTION TO CARRY OVER H. 342.

Mr. Garrett moved to carry over the bill, H. 342, for five hours.

Mr. McElhaney moved to table the motion of Mr. Garrett to carry over.

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 40; Nays 52.

Yeas:

Mr. Speaker	Bowers	Doss	Hardin
Agee	Brannan	Fine	Headley
Bassett	Burgreen	Gafford	Jackson (F)
Beck	Collier	Garrett	Laxson
Berryman (W)	Crawford	Hain	Mays

McCorquodale	Neville	Pruitt	Stembridge
McDonald	Owen (Baldwin)	Robertson	Tuck
Meade	Owens (W)	Shumate	Turnham
Melton	Paulk	Starnes	Yeilding
Money	Perloff	Steagall	Young

—40

Nays:

Messrs.:	Edington	Jackson (T)	Owens (W.E.)
Bank	Foshee	Jones	Pennington
Blanton	Gloor	Kilgore	Sessions
Bolton	Graham	Lybrand	Slate
Brassell	Grainger	Lyons	Smith
Burgess	Grayson	Malone	Snell
Cameron	Harris	Manley	Springer
Collins (C)	Higginbotham	Marr	Stubbs
Collins (W)	Hill	McElhaney	Waggoner
Cook (Coffee)	Hobbie	McLain	Watkins
Cook (Jefferson)	Holladay	Meeks	Williams
Culver	Holman	Merrill	Wood
Dill	House	Nettles	Wright
Downing			

—52

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 30. Commending Hugh McClendon and Bob Weaver for their rescue of a drowning man.

Also:

S. J. R. 40. Expressing opposition to any plan by Congress that would in any way limit the tax exempt status of interest paid on bonds issued by state and local governments.

Also:

S. J. R. 41. Recognizing the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr. of the Birmingham Police Department.

Also:

S. J. R. 43. Mourning the death of Mr. Preston Payne of Tuscaloosa.

Also:

S. J. R. 44. Saluting Dr. Wernher Von Braun, Blount Brothers and all other Alabama contractors and sub-contractors for their part in the Apollo program.

Also:

S. J. R. 46. Mourning the death of Bishop Charles Colcott Jones Carpenter.

Also:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Also:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Also:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Also:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Also:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Also:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Also:

S. 426. To make a conditional appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes.

Also:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

S. 535. To provide further for the compensation of the county solicitor or deputy district attorney in all counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census.

Also:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Also:

S. 625. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Robertson that the House adjourn sine die was lost.

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until two o'clock P. M. on Thursday, August 7, 1969, was lost.

Yeas 43; Nays 45.

Yeas:

Mr. Speaker	Fine	Jackson (F)	Pearson
Agee	Foshee	Kilgore	Pruitt
Bassett	Gafford	Laxson	Robertson
Beck	Garrett	McDonald	Starnes
Berryman (W)	Gloor	Meade	Steagall
Blanton	Hain	Melton	Stembridge
Burgreen	Hardin	Money	Tuck
Collier	Harper	Neville	Turnham
Crawford	Haygood	Owen (Baldwin)	Yeilding
Dill	Headley	Owens (W)	Young
Drake	Holman	Paulk	

—43

Nays:

Messrs.:	Edington	Lybrand	Owens (W.E.)
Bank	Graham	Lyons	Pennington
Bolton	Grainger	Malone	Sessions
Brassell	Grayson	Manley	Slate
Burgess	Harris	Marr	Snell
Cameron	Higginbotham	McCorquodale	Springer
Cherner	Hill	McElhaney	Stubbs
Collins (C)	Hobbie	McLain	Waggoner
Collins (W)	Holladay	Meeks	Watkins
Cook (Coffee)	House	Merrill	Williams
Cook (Jefferson)	Jackson (T)	Nettles	Wright
Downing	Jones		

—45

MOTION TO ADJOURN LOST

The motion of Mr. Dobbs that the House adjourn until eleven o'clock A. M. on Thursday, August 7, 1969, was lost.

Yeas 45; Nays 50.

Yeas:

Mr. Speaker	Brannan	Doss	Gloor
Agee	Burgreen	Ellis	Hain
Bassett	Collier	Fine	Hardin
Beck	Crawford	Foshee	Harper
Berryman (W)	Dobbs	Garrett	Haygood

Headley	Meade	Paulk	Stembridge
Jackson (F)	Melton	Pearson	Tuck
Kilgore	Money	Pruitt	Turnham
Laxson	Neville	Robertson	Weeks
Mays	Owen (Baldwin)	Starnes	Yeilding
McCorquodale	Owens (W)	Steagall	Young
McDonald			

—45

Nays:

Messrs.:	Dill	Jackson (T)	Pennington
Bank	Downing	Jones	Perloff
Blanton	Edington	Lybrand	Sessions
Bolton	Graham	Lyons	Slate
Brassell	Grainger	Malone	Smith
Burgess	Grayson	Manley	Snell
Cameron	Harris	Marr	Springer
Cherner	Higginbotham	McElhaney	Stubbs
Collins (C)	Hill	McLain	Waggoner
Collins (W)	Hobbie	Meeks	Watkins
Cook (Coffee)	Holladay	Merrill	Williams
Cook (Jefferson)	Holman	Nettles	Wright
Culver	House	Owens (W.E.)	

—50

SUBSTITUTE MOTION TO RECESS

Mr. Dobbs offered a substitute motion for the motion of Mr. Garrett to carry over the bill, H. 342, for five hours, the substitute motion being to recess for one hour.

Mr. McElhaney moved to table the substitute motion of Mr. Dobbs to recess.

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 44; Nays 54.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pruitt
Agee	Fine	Mays	Robertson
Bassett	Gafford	McDonald	Shumate
Beck	Garrett	Meade	Starnes
Berryman (W)	Hain	Melton	Steagall
Brannan	Hardin	Money	Stembridge
Collier	Harper	Neville	Tuck
Crawford	Haygood	Owen (Baldwin)	Turnham
Dill	Headley	Owens (W)	Weeks
Dobbs	Holman	Paulk	Yeilding
Drake	Jackson (F)	Pearson	Young

—44

Nays:

Messrs.:	Burgreen	Cook (Jefferson)	Graham
Bank	Cameron	Culver	Grainger
Blanton	Cherner	Doss	Grayson
Bolton	Collins (C)	Downing	Harris
Brassell	Collins (W)	Edington	Higginbotham
Burgess	Cook (Coffee)	Foshee	Hill

Hobbie	Malone	Nettles	Springer
Holladay	Manley	Owens (W.E.)	Stubbs
House	Marr	Pennington	Waggoner
Jackson (T)	McCorquodale	Perloff	Watkins
Jones	McElhaney	Sessions	Williams
Laxson	McLain	Slate	Wood
Lybrand	Meeks	Smith	Wright
Lyons	Merrill	Snell	

—54

The question then was on the motion of Mr. McElhaney to table the substitute motion of Mr. Dobbs to recess, and the motion of Mr. McElhaney was lost.

Yeas 45; Nays 46.

Yeas:

Messrs.:	Dill	House	Nettles
Bank	Downing	Jackson (T)	Owens (W.E.)
Berryman (W)	Edington	Kilgore	Pennington
Bolton	Gloor	Lybrand	Perloff
Brassell	Graham	Lyons	Sessions
Cameron	Grayson	Marr	Snell
Cherner	Harris	McElhaney	Springer
Collins (C)	Higginbotham	McLain	Waggoner
Collins (W)	Hill	Meeks	Watkins
Cook (Coffee)	Hobbie	Merrill	Weeks
Cook (Jefferson)	Holladay	Money	Williams
Culver	Holman		

—45

Nays:

Mr. Speaker	Ellis	Malone	Pruitt
Agee	Fine	Mays	Robertson
Bassett	Foshee	McCorquodale	Shumate
Blanton	Gafford	McDonald	Slate
Brannan	Garrett	Meade	Starnes
Burgess	Hain	Melton	Steagall
Burgreen	Hardin	Neville	Stembridge
Collier	Harper	Owen (Baldwin)	Tuck
Crawford	Haygood	Owens (W)	Turnham
Dobbs	Headley	Paulk	Yeilding
Doss	Jackson (F)	Pearson	Young
Drake	Jones		

—46

The question then was on the substitute motion of Mr. Dobbs to recess for one hour, and the motion lost.

Yeas 48; Nays 48.

Yeas:

Mr. Speaker	Fine	Jones	Robertson
Agee	Foshee	Mays	Shumate
Bassett	Gafford	McCorquodale	Slate
Berryman (W)	Garrett	Meade	Starnes
Blanton	Grainger	Melton	Steagall
Brannan	Hain	Neville	Stembridge
Burgess	Hardin	Owen (Baldwin)	Stubbs
Collier	Harper	Owens (W)	Tuck
Crawford	Haygood	Paulk	Turnham
Doss	Headley	Pearson	Watkins
Drake	Hill	Pennington	Yeilding
Ellis	Jackson (F)	Pruitt	Young

—48

Nays:

Messrs.:	Downing	Kilgore	Money
Bank	Edington	Laxson	Nettles
Bolton	Gloor	Lybrand	Owens (W.E.)
Brassell	Graham	Lyons	Perloff
Burgreen	Grayson	Malone	Sessions
Cameron	Harris	Manley	Snell
Cherner	Higginbotham	Marr	Springer
Collins (C)	Hobbie	McDonald	Waggoner
Collins (W)	Holladay	McElhaney	Weeks
Cook (Coffee)	Holman	McLain	Williams
Cook (Jefferson)	House	Meeks	Wood
Culver	Jackson (T)	Merrill	Wright
Dill			

—48

MOTION TO ADJOURN LOST

The motion of Mr. Starnes that the House adjourn until 12:30 P. M., on Thursday, August 7, 1969, was lost.

Yeas 46; Nays 50.

Yeas:

Mr. Speaker	Fine	Mays	Pruitt
Agee	Foshee	McCorquodale	Robertson
Bassett	Gafford	McDonald	Shumate
Beck	Garrett	Meade	Starnes
Berryman (W)	Hain	Melton	Steagall
Brannan	Hardin	Money	Stembridge
Burgreen	Harper	Neville	Tuck
Collier	Haygood	Owen (Baldwin)	Turnham
Crawford	Headley	Owens (W)	Weeks
Dobbs	Jackson (F)	Paulk	Yielding
Doss	Kilgore	Pearson	Young
Ellis	Laxson		

—46

Nays:

Messrs.:	Dill	Jackson (T)	Pennington
Bank	Downing	Jones	Perloff
Blanton	Edington	Lybrand	Sessions
Bolton	Graham	Lyons	Slate
Brassell	Grainger	Malone	Smith
Burgess	Grayson	Manley	Snell
Cameron	Harris	Marr	Springer
Cherner	Higginbotham	McElhaney	Waggoner
Collins (C)	Hill	McLain	Watkins
Collins (W)	Hobbie	Meeks	Williams
Cook (Coffee)	Holladay	Merrill	Wood
Cook (Jefferson)	Holman	Nettles	Wright
Culver	House	Owens (W.E.)	

—50

MOTION TO CARRY OVER H. 342

Mr. Stubbs moved to carry over the bill, H. 342, for one and one-half hours.

On motion of Mr. McElhaney, the motion of Mr. Stubbs to carry over was tabled.

Yeas 54; Nays 41.

Yeas:

Messrs.:	Downing	Jones	Nettles
Bank	Edington	Kilgore	Owens (W.E.)
Berryman (W)	Gloor	Laxson	Perloff
Bolton	Graham	Lybrand	Sessions
Brassell	Grainger	Lyons	Snell
Burgreen	Grayson	Malone	Springer
Cameron	Harris	Manley	Turnham
Cherner	Haygood	Marr	Waggoner
Collins (C)	Higginbotham	McDonald	Watkins
Collins (W)	Hobbie	McElhaney	Weeks
Cook (Coffee)	Holladay	McLain	Williams
Cook (Jefferson)	Holman	Meeks	Wood
Culver	House	Merrill	Wright
Dill	Jackson (T)	Money	

—54

Nays:

Mr. Speaker	Ellis	Mays	Pruitt
Agee	Fine	McCorquodale	Robertson
Bassett	Foshee	Meade	Shumate
Beck	Gafford	Melton	Slate
Blanton	Hain	Neville	Starnes
Brannan	Hardin	Owen (Baldwin)	Steagall
Burgess	Harper	Owens (W)	Stembridge
Collier	Headley	Paulk	Tuck
Crawford	Hill	Pearson	Yelding
Dobbs	Jackson (F)	Pennington	Young
Doss			

—41

MOTION TO RECESS

Mr. Burgess moved that the House recess for thirty minutes.

On motion of Mr. McElhaney, the motion of Mr. Burgess to recess was tabled.

Yeas 52; Nays 44.

Yeas:

Messrs.:	Downing	Jones	Nettles
Bank	Edington	Kilgore	Owens (W.E.)
Berryman (W)	Gloor	Laxson	Perloff
Bolton	Graham	Lybrand	Sessions
Brassell	Grainger	Lyons	Snell
Burgreen	Grayson	Malone	Springer
Cameron	Harris	Manley	Tuck
Cherner	Higginbotham	Marr	Waggoner
Collins (C)	Hobbie	McElhaney	Watkins
Collins (W)	Holladay	McLain	Weeks
Cook (Coffee)	Holman	Meeks	Williams
Cook (Jefferson)	House	Merrill	Wood
Culver	Jackson (T)	Money	Wright
Dill			

—52

Nays:

Mr. Speaker	Brannan	Dobbs	Fine
Agee	Burgess	Doss	Foshee
Bassett	Collier	Drake	Gafford
Blanton	Crawford	Ellis	Garrett

Hain	Mays	Paulk	Smith
Hardin	McCorquodale	Pearson	Starnes
Harper	Meade	Pennington	Steagall
Haygood	Melton	Pruitt	Stembridge
Headley	Neville	Robertson	Stubbs
Hill	Owen (Baldwin)	Shumate	Turnham
Jackson (F)	Owens (W)	Slate	Young

—44

The question then was on the adoption of the motion of Mr. McElhaney to concur in and adopt the Senate amendment to the bill, H. 342, and the motion lost.

Yeas 45; Nays 49.

Yeas:

Messrs.:	Edington	Lybrand	Perloff
Bank	Gloor	Lyons	Sessions
Bolton	Graham	Malone	Snell
Brassell	Grayson	Manley	Springer
Cameron	Harris	McLain	Steagall
Cherner	Higginbotham	Meeks	Waggoner
Collins (C)	Hill	Merrill	Watkins
Cook (Coffee)	Hobbie	Nettles	Weeks
Cook (Jefferson)	Holman	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Dill	Kilgore	Owens (W.E.)	Wright
Downing	Laxson		

—45

Nays:

Mr. Speaker	Doss	Jackson (F)	Pennington
Agee	Drake	Marr	Pruitt
Bassett	Ellis	Mays	Robertson
Beck	Fine	McCorquodale	Shumate
Berryman (W)	Foshee	McDonald	Slate
Blanton	Gafford	McElhaney	Starnes
Brannan	Garrett	Meade	Stembridge
Burgess	Grainger	Melton	Stubbs
Burgreen	Hain	Money	Tuck
Collier	Hardin	Owens (W)	Turnham
Collins (W)	Headley	Paulk	Yeilding
Crawford	Holladay	Pearson	Young
Dobbs			

—49

MOTION TO RECONSIDER AND MOTION TO TABLE

Having voted with the prevailing side, Mr. Turnham moved that the House reconsider the vote by which H. 342 was lost, and further moved to table the said motion.

And the motion to table was lost.

Yeas 44; Nays 50.

Yeas:

Mr. Speaker	Burgess	Doss	Garrett
Agee	Burgreen	Drake	Grainger
Bassett	Cherner	Ellis	Hain
Berryman (W)	Collier	Fine	Hardin
Blanton	Crawford	Foshee	Harper
Brannan	Dobbs	Gafford	Headley

Jackson (F)	Money	Pennington	Starnes
McCorquodale	Neville	Pruitt	Stembridge
McDonald	Owens (W)	Robertson	Stubbs
Meade	Paulk	Shumate	Turnham
Melton	Pearson	Slate	Young

—44

Nays:

Messrs.:	Gloor	Lybrand	Perloff
Bank	Graham	Lyons	Sessions
Bolton	Grayson	Malone	Snell
Brassell	Harris	Manley	Springer
Cameron	Higginbotham	Marr	Tuck
Collins (C)	Hill	Mays	Waggoner
Collins (W)	Hobbie	McElhaney	Watkins
Cook (Coffee)	Holladay	McLain	Weeks
Cook (Jefferson)	Holman	Meeks	Williams
Culver	House	Merrill	Wood
Dill	Jackson (T)	Nettles	Wright
Downing	Kilgore	Owen (Baldwin)	Yeilding
Edington	Laxson	Owens (W.E.)	

—50

MOTION TO RECONSIDER

The question then was on the motion of Mr. Turnham to reconsider the vote by which the bill, H. 342, was lost.

And the motion was adopted.

Yeas 49; Nays 47.

Yeas:

Messrs.:	Edington	Kilgore	Owens (W.E.)
Bank	Gloor	Lybrand	Perloff
Bolton	Graham	Lyons	Sessions
Brassell	Grayson	Malone	Snell
Cameron	Harris	Manley	Springer
Cherner	Higginbotham	Marr	Tuck
Collins (C)	Hill	McElhaney	Waggoner
Collins (W)	Hobbie	McLain	Watkins
Cook (Coffee)	Holladay	Meeks	Weeks
Cook (Jefferson)	Holman	Merrill	Williams
Culver	House	Nettles	Wood
Dill	Jackson (T)	Owen (Baldwin)	Wright
Downing	Jones		

—49

Nays:

Mr. Speaker	Drake	Laxson	Pruitt
Agee	Ellis	Mays	Robertson
Bassett	Fine	McCorquodale	Shumate
Berryman (W)	Foshee	McDonald	Slate
Blanton	Gafford	Meade	Starnes
Brannan	Garrett	Melton	Steagall
Burgess	Grainger	Money	Stembridge
Burgreen	Hain	Neville	Stubbs
Collier	Hardin	Owens (W)	Turnham
Crawford	Harper	Paulk	Yeilding
Dobbs	Headley	Pearson	Young
Doss	Jackson (F)	Pennington	

—47

MOTION TO ADJOURN LOST

The motion of Mr. Shumate that the House adjourn until twelve o'clock Noon on Thursday, August 7, 1969, was lost.

Yeas 44; Nays 51.

Yeas:

Mr. Speaker	Fine	Mays	Robertson
Agee	Gafford	McCorquodale	Shumate
Bassett	Garrett	McDonald	Slate
Beck	Grayson	Meade	Starnes
Berryman (W)	Hain	Melton	Steagall
Brannan	Hardin	Money	Stembridge
Burgreen	Haygood	Owen (Baldwin)	Tuck
Collier	Headley	Owens (W)	Turnham
Crawford	Jackson (F)	Paulk	Weeks
Dobbs	Kilgore	Pearson	Yeilding
Ellis	Laxson	Pruitt	Young

—44

Nays:

Messrs.:	Dill	Jackson (T)	Owens (W.E.)
Bank	Downing	Jones	Pennington
Blanton	Edington	Lybrand	Perloff
Bolton	Foshee	Lyons	Sessions
Brassell	Graham	Malone	Smith
Burgess	Grainger	Manley	Snell
Cameron	Harris	Marr	Springer
Cherner	Higginbotham	McElhaney	Stubbs
Collins (C)	Hill	McLain	Waggoner
Collins (W)	Hobbie	Meeks	Watkins
Cook (Coffee)	Holladay	Merrill	Williams
Cook (Jefferson)	Holman	Nettles	Wood
Culver	House	Neville	Wright

—51

MOTION TO CONCUR AND ADOPT
SENATE AMENDMENT TO H. 342

Mr. McElhaney moved that the House concur in and adopt the Senate amendment to the bill, H. 342, as set out in the above and foregoing Message from the Senate.

MOTION TO ADJOURN LOST

The motion of Mr. Turnham that the House adjourn until twelve-thirty o'clock P. M. on Thursday, August 7, 1969, was lost.

Yeas 45; Nays 54.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Agee	Ellis	Laxson	Pearson
Bassett	Fine	Mays	Pruitt
Beck	Foshee	McCorquodale	Robertson
Berryman (W)	Gafford	McDonald	Shumate
Brannan	Garrett	Meade	Starnes
Brown	Hain	Melton	Steagall
Burgreen	Hardin	Money	Stembridge
Collier	Harper	Neville	Turnham
Crawford	Haygood	Owen (Baldwin)	Yeilding
Dobbs	Headley	Owens (W)	Young
Doss			

—45

Nays:

Messrs.:	Downing	Jones	Perloff
Bank	Edington	Kilgore	Sessions
Blanton	Gloor	Lybrand	Slate
Bolton	Graham	Lyons	Smith
Brassell	Grainger	Malone	Snell
Burgess	Grayson	Manley	Stubbs
Cameron	Harris	Marr	Tuck
Cherner	Higginbotham	McElhaney	Waggoner
Collins (C)	Hill	McLain	Watkins
Collins (W)	Hobbie	Meeks	Weeks
Cook (Coffee)	Holladay	Merrill	Williams
Cook (Jefferson)	Holman	Nettles	Wood
Culver	House	Owens (W.E.)	Wright
Dill	Jackson (T)	Pennington	

—54

The question, then, was on the adoption of the motion of Mr. McElhaney to concur in and adopt the Senate amendment to the bill, H. 342:

To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

And the amendment was concurred in and adopted.

Yeas 47; Nays 46.

Yeas:

Messrs.:	Downing	Kilgore	Owens (W.E.)
Bank	Edington	Lybrand	Perloff
Bolton	Gloor	Lyons	Sessions
Brassell	Graham	Malone	Snell
Cameron	Grayson	Manley	Springer
Cherner	Harris	McElhaney	Steagall
Collins (C)	Higginbotham	McLain	Waggoner
Collins (W)	Hill	Meeks	Watkins
Cook (Coffee)	Hobbie	Merrill	Weeks
Cook (Jefferson)	Holladay	Nettles	Williams
Culver	Holman	Neville	Wood
Dill	House	Owen (Baldwin)	Wright

—47

Nays:

Mr. Speaker	Drake	Mays	Robertson
Agee	Ellis	McCorquodale	Shumate
Bassett	Fine	McDonald	Slate
Berryman (W)	Foshee	Meade	Starnes
Blanton	Gafford	Melton	Stembridge
Brannan	Grainger	Money	Stubbs
Burgess	Hain	Owens (W)	Tuck
Burgreen	Hardin	Paulk	Turnham
Collier	Headley	Pearson	Yielding
Crawford	Jackson (F)	Pennington	Young
Dobbs	Laxson	Pruitt	
Doss	Marr		

—46

ADJOURNMENT

On motion of Mr. Dill, the House adjourned until 12 o'clock Noon on Thursday, August 7, 1969.

Yeas 56; Nays 40.

Yeas:

Mr. Speaker	Edington	Lyons	Pearson
Bassett	Ellis	Malone	Perloff
Brannan	Fine	Manley	Pruitt
Brassell	Gloor	Mays	Robertson
Brown	Graham	McDonald	Starnes
Burgreen	Grayson	Meade	Steagall
Collins (C)	Hain	Merrill	Stembridge
Collins (W)	Hardin	Money	Tuck
Cook (Jefferson)	Harris	Nettles	Turnham
Crawford	Haygood	Neville	Watkins
Dill	Headley	Owen (Baldwin)	Weeks
Dobbs	Holman	Owens (W)	Wood
Downing	House	Owens (W.E.)	Wright
Drake	Kilgore	Paulk	Yeilding

—56

Nays:

Messrs.:	Culver	Jackson (F)	Pennington
Agee	Foshee	Jackson (T)	Sessions
Bank	Gafford	Jones	Shumate
Berryman (W)	Garrett	Lybrand	Slate
Blanton	Grainger	Marr	Smith
Bolton	Harper	McCorquodale	Springer
Burgess	Higginbotham	McElhaney	Stubbs
Cameron	Hill	McLain	Waggoner
Cherner	Hobbie	Meeks	Williams
Collier	Holladay	Melton	Young
Cook (Coffee)			

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TWENTY-SEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 6, 1969

The House did not meet today.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P. M. On August 6, 1969

H. 699

H. 698

H. 465

H. 468

H. 467

H. 469

H. 470
H. 472
H. 476
H. 599
H. 600
H. 601
H. 680
H. 809
H. 90
H. 514
H. 700
H. 703
H. J. R. 73
H. J. R. 81
H. J. R. 83
H. J. R. 51
H. J. R. 92
H. J. R. 92
H. 922
H. 907
H. 908
H. 602
H. 821
H. 941
H. 688
H. 910
H. 667
H. 869
H. 920
H. 921
H. 255
H. 392
H. 594
H. 804
H. 939
H. 868

H. 987
H. 898
H. 946
H. 988
H. 859
H. 945
H. 915
H. 912
H. 914
H. 913
H. 872
H. 916
H. 917
H. 847
H. 873
H. 969
H. 896
H. 894
H. 931
H. 934
H. 810
H. 442
H. 209
H. 938
H. 937
H. 936
H. 935
H. 828
H. 794
H. 694
H. 244
H. 933
H. 906
H. 976
H. 977
H. 978

H. 903

H. 905

H. 904

H. 851

H. 871

H. 785

H. 815

H. 1023

H. 1026

H. 1027

H. 1050

H. 1048

H. 959

H. 960

H. 1025

H. 1017

H. 704

H. 705

H. 876

H. 1003

H. 930

H. 1034

H. J. R. 84

H. J. R. 62

H. J. R. 63

H. J. R. 66

H. J. R. 67

H. J. R. 74

H. J. R. 70

H. J. R. 68

H. J. R. 69

H. J. R. 91

H. J. R. 95

H. J. R. 87

H. J. R. 96

H. J. R. 97

H. J. R. 98

H. 333

H. 459

H. 529

H. 530

H. 901

H. 279

Delivered to the Secretary of State at 2:30 P. M. On August 6, 1969

H. 678

JOHN W. PEMBERTON,
Clerk.

TWENTY-EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 7, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Albert S. Newton, Minister, All Saints Episcopal Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Doss	Jackson (T)	Paulk
Adwell	Downing	Jones	Pearson
Agee	Drake	Kilgore	Pennington
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bolton	Garrett	Manley	Slate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Burgreen	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Haygood	Meeke	Turnham
Collins (C)	Headley	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hill	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Williams
Crane	Holladay	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Owens (W.E.)	Young
Doobs			

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-sixth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 112. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named by made special, paramount and continuing order of business for the Twenty-eighth Legislative Day, taking precedence over any other business in the House on this day:

Report of Standing Committees

Introduction of Bills

Senate Messages

Uncontested Local Bills

HB 947, Page 88

HB 320, Page 44

HB 899, Page 101

SB 266, Page 86

SB 267, Page 74

SB 405, Page 97
SB 337, Page 103
SB 340, Page 80
HB 846, Page 91
HB 948, Page 107
HB 1145, Page 112
HB 106, Page 35
HB 1244, Page 140
HB 796, Page 143
SB 109, Page 139
HB 584, Page 39
HB 593, Page 48
HB 775, Page 65
HB 993, Page 137
HB 2, Page 77
HB 3, Page 78
HB 997, Page 142
HB 1119, Page 112
SB 311, Page 108
HB 309, Page 9
HB 151, Page 3
HB 1072, Page 100
HB 84, Page 134
HB 373, Page 54
HB 447, Page 10
HB 89, Page 8
HB 1172, Page 101
HB 402, Page 51
HB 116, Page 75

On motion of Mr. Merrill, H. R. 112 was adopted.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1279. To make an appropriation for the payment of expenses of the Legislature.

H. 1296. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

H. 1315. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such

District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1251 (with amendment). To establish the Alabama Program Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Program Development and the employees of the Alabama Program Development Office; to define the powers and duties of the Alabama Program Development Office; to transfer to the Alabama Program Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 48 (with substitute). To provide for absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, p. 601) and all acts amendatory or supplementary thereto.

H. 50 (with substitute). Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party."

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 501. To amend Code of Alabama 1940, Title 30, Section 5 relating to persons exempt from jury service, providing for the rescheduling of time of service in certain cases.

H. 502. Relating to the Eleventh Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 644 (with amendment). Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 744. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

H. 746. To provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme Court or the Court of Appeals of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

H. 747. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

H. 864. To amend Section 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949 p. 242) by allowing women over eighteen to work in or about coal mines.

H. 866. To amend Code of Alabama 1940, Title 26, Section 158, relating to persons working in coal mines.

H. 867. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

H. 952. To make subject to the state sales and use taxes the sale or use of property purchased under certain conditions by any public or semi-public corporation, board, authority, any county or municipality, or any agency or instrumentality thereof and to prohibit the appointment of any contractor or agent of any contractor as purchasing agent for the state or any county, municipality, public or semi-public corporation or any board, authority, agency or instrumentality thereof in connection with any public works construction in this state and to repeal laws in conflict herewith.

H. 974. To authorize and provide for Minute Entries in cases appealed from a City Recorder's Court, Mayor's Court, Police Court, or any Municipal Court, to the Circuit Courts or any other Courts of Record in Alabama.

H. 1001. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the Alabama delegation in the United States Congress for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plates or tags now required; and to authorize and provide for the use of such distinctive plates or tags by such members of Congress.

H. 1178. To amend Sections 1, 2 and 3 of Act No. 587, S. 24, Regular Session 1963 (Acts 1963, p. 1283), an act making it unlawful for persons by the use of a telephone to molest, harass, threaten or willfully and knowingly, convey certain false information, and to prescribe penalties; so as to make the performance of such acts a felony and to increase the penalty therefor.

H. 1206. To except bonds issued by a municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

H. 1237. To amend Sections 1 and 5 of Act No. 21, H. 28, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

H. 1246. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1252 (with amendment). To provide for service of process on nonresident operators of watercraft; and to designate the secretary of state as agent for such service of process.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1284. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment; and to grant additional authority to the board.

H. 1285. To amend Section 1 of Act No. 60, Second Special Session 1965, Acts of Alabama, Second and Third Special Sessions, Vol. 1, page 85, an Act to levy and provide for the collection of a tax in the amount of one dollar (\$1.00) upon each criminal and quasi criminal case docketed in every court in the State of Alabama, with certain enumerated exceptions as to courts and cases, so as to increase the amount of such tax.

H. 1313. To provide that for the conviction of persons who willfully allow or causes pain or injury to a child and to provide the punishment for such crime.

H. 1325. To define "fifty tons burden" as used in the Alabama Sales Tax law, Act No. 100, H. 94, 2nd Special Session 1959 (Acts 1959, p. 298), as amended and supplemented, and as used in the Alabama Use Tax law, Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended and supplemented.

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.'"

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1309. Authorizing every county and every municipality of the State to establish and operate a collection and disposal system for auto-

mobile hulks, discarded or abandoned appliances or equipment, junk, and any other metallic or non-metallic trash or debris; authorizing the charging of a fee or fees for such services; directing each county in the State to establish a special study commission concerning the control, storage, abandonment, or disposal of such material; authorizing the county commission to designate, by resolution of the Commission, and after a hearing, areas or zones within the county where such material may be kept or stored; and making the storage of such material unlawful, except in conformity with this act; and providing punishment for the violation thereof.

Mr. Sessions, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1229. To raise revenue and to that end to amend further Section 819 of Title 51 of the Code of Alabama of 1940, as heretofore last amended by an Act of the Special Session of the Legislature of Alabama of 1969 and approved by the Governor the 14th day of May, 1969.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1316. To establish a movie classification board to classify and restrict the exhibiting of movies; to provide for the appointment, duties and powers of said board.

H. 1317. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

H. 1319. To create a junior college board; to repeal conflicting laws.

H. 1318. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

The above bill was read a first time at length as required by the Constitution.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1143 (with amendment). To amend Sections 3 and 4 of Act No. 643, S. 414, approved November 19, 1959 (Acts of Alabama 1959, p. 1557) reducing the number of members of the tenure commission required to constitute a quorum for the transaction of the business of the commission and to provide payment to commission members for necessary expenses.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 825. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent race track or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 975 (with substitute). Providing further for payment of the salaries of state officers and employees; amending Section 148, Title 41, Code 1940.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1234. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

The above bill was read a second time at length as required by the Constitution.

H. 1271. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

H. 1272. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commission of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 767. To rescind and revoke membership of the State of Alabama in the United Nations and the specialized agencies thereof, and for other purposes.

H. 768. To clarify the law of the State of Alabama, which has been confused and made indefinite by illegal actions of the members of the Supreme Court based on the so-called Fourteenth Amendment which was never ratified and is no part of the Constitution of the United States.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1302. Relating to the execution of certain public contracts on which competitive bidding is required; amending Section 9 of Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) and further amending Section 9 of Act No. 343, H. 71, Regular Session 1957 (Acts 1957, p. 452), so as to extend the period for which contracts may be made for the purchase of personal property or contractual services, subject to certain options.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1204. Relating to counties having populations of not less than 46,500 nor more than 48,000 to provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

H. 1261. To provide expense allowances for the judge of the circuit court of the Twenty-Eighth Judicial Circuit of Alabama.

H. 1262. To provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

H. 1263. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

H. 1264. Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

H. 1265. Applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman.

H. 1266. Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

H. 1267. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an expense allowance for the probate judge of such counties.

H. 1268. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an additional deputy circuit clerk for such counties.

H. 1269. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax collector of such counties.

H. 1270. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax assessor of such counties.

H. 1276. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

H. 1280. To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

H. 1281. To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

H. 1282. Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

H. 1286. Relating to counties having populations of not less than 35,100 nor more than 36,100; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials.

H. 1287. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama.

H. 1292. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

H. 1293. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

H. 1294. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

H. 1295. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

H. 1297. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

H. 1298. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws.

H. 1299. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955, an act providing for urban renewal projects (Acts 1955, v. 2, p. 1210), as amended, in relation to the powers of housing authorities and municipalities to acquire planning funds from federal agencies.

H. 1300. To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting laws.

H. 1301. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 1314. To amend Section 1 of Act No. 179, Acts of Alabama 1965, page 250, relating to counties having a population of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to provide an additional expense allowance for members of the governing body of any such county payable out of county funds; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

H. 1329. A bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

H. 1330. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

H. 1331. Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

H. 1332. To apply to all counties having populations of not less than 46,000 nor more than 46,500 according to the most recent federal decennial census and in which a special juvenile court has been established; to authorize the appointment of a probation officer to serve such court and to prescribe his qualifications, duties and authority; to

authorize and direct the commissioner of the state department of pensions and security to pay a portion of said probation officer's salary out of certain funds available to said department under certain conditions and to provide that the remainder of his salary and all other expenses shall be paid on a pro rata basis by the governing bodies of the county and of the largest city therein of all counties to which this act applies.

H. 1337. To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and to pay a certain sum to the estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

H. 1339. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; to repeal conflicting laws.

H. 1340. Relating to counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

S. 544. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

H. 802. Providing further for expense allowances for certain members of the governing bodies of counties having populations of not less than 57,000 nor more than 61,000, and making such Act retroactive.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1307. Relating to all incorporated cities and towns within the State of Alabama; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; authorizing said cities and towns to provide by ordinance for the levy and assessment of an excise tax or use tax parallel to the State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements,

provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that said cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy, is otherwise provided for by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the State Department of Revenue under the provisions and procedures provided for by Act No. 203, H. 99, Special Session 1965.

H. 1308. To provide that all municipalities and all counties levying an excise or privilege license tax upon the sale, use or consumption, distribution, storage or withdrawal from storage, of gasoline or motor fuel may require that where the tax has been paid to the municipality or county by a distributor, refiner, or by any retail dealer, storer, or user, such payment shall be sufficient, the intent being that the tax shall be borne by the consumer and paid to the municipality or county but once.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1310. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Mr. McElhane, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1328. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; to exempt art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1303. To authorize and regulate cooperation in counties having populations of 600,000 or more, according to the most recent federal decennial census, among and between the county, municipalities, other governmental subdivisions and public corporations therein, the state and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of area.

H. 1304. To provide in all counties having a population of not less than 600,000 inhabitants according to the last or any subsequent federal census a special indexing fee of \$1.00 which fee is in addition to all existing recording fees and charges on each document or instrument hereafter filed and indexed for record in the office of the Judge of Probate of any such county.

H. 1305. Authorizing any municipality of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1327. To provide tuition grants, based upon financial need, to full-time resident students attending accredited private institutions of higher education in the State of Alabama.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Owen (Baldwin) and Brannan:

H. 1343. Relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business for certain county officers.

Local Legislation No. 1.

By Messrs. Owen (Baldwin) and Brannan:

H. 1344. To amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Judiciary.

By Messrs. Brannan and Owen (Baldwin):

H. 1345. Relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations.

Local Legislation No. 1.

By Mr. Lemley:

H. 1346. Relating to counties having a population of not less than 25,400 and not more than 25,500 and establishing the procedure for the selection of a depository of the funds of the Board of Education of any county to which this act applies and fixing the compensation for the members of the County Board of Education in any county to which this act applies.

Local Legislation No. 1.

By Mr. Owens (W):

H. 1347. Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Owens (W):

H. 1348. Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Merrill, Burgess and Lybrand:

H. 1349. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Local Legislation No. 1.

By Mr. Mathews:

H. 1350. To make an appropriation to the office of the Attorney General and to provide for special investigators, clerical assistants, equipment, travel and other necessary expenses.

Judiciary.

By Mr. Lybrand:

H. 1351. Relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing further for the location of the office of the board of education in such counties.

Local Legislation No. 1.

By Messrs. Meade and Beck:

H. 1352. Relating to counties having a population of not less than 16,300 and not more than 17,300 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Local Legislation No. 1.

By Messrs. Graham and Berryman (W) (with notice and proof):

1353. Providing further for the construction, maintenance and repair of roads and bridges in Colbert County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Colbert County; providing for the transfer from the state highway department to the Colbert County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Colbert County roads and bridges; providing for the appointment of a county engineer; repealing Act No. 645, S. 593, Regular Session of 1965 (Acts 1965, p. 1164) and other conflicting laws; providing that this Act shall become effective only if approved at a referendum election in Colbert County.

Local Legislation No. 1.

Notice and Proof H. 1353:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the construction, maintenance and repair of roads and bridges in Colbert County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Colbert County; providing for the transfer from the state highway department to the Colbert County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Colbert County roads and bridges; providing for the appointment of a county engineer; repealing Act No. 645, S. 593, Regular Session of 1965 (Acts 1965, p. 1164) and other conflicting laws; providing that this Act shall become effective only if approved at a referendum election in Colbert County.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Colbert County shall be solely responsible for the construction, repair and maintenance of the roads and bridges in the county. Except as herein otherwise provided the county governing body shall have all the powers and jurisdiction with respect to county roads and bridges which are, or which hereafter may be, vested in or required of courts of county commissioners, boards of revenue, or other like county governing bodies by the general laws of this state, or vested in or required of the governing body of Colbert County by local law; and the members of the county governing body of Colbert County except as herein otherwise provided, shall perform all the duties and services and shall exercise all the powers and authority with respect to the construction, repair and maintenance of county roads and bridges which are, or which hereafter may be, provided by law for members of courts of county commissioners, boards of revenue, or other like county governing bodies.

Section 2. When this Act becomes effective, any unexpended monies remaining in the fund required by law to be maintained by the state highway department for use in the construction, repair and maintenance of county roads and bridges in Colbert County shall except as may otherwise be provided by this Act, be paid over to the county governing body of Colbert County. Thereafter, all funds and monies designated by law for use in the construction, repair and maintenance of county roads and bridges in Colbert County to which Colbert County may be entitled, whether from the proceeds of the state gasoline tax, the motor vehicle license tax, or other state tax, or any federal aid accruals, or from any other source whatsoever, shall be paid to the county governing body of Colbert County by the appropriate county or state official.

Section 3. When this Act becomes effective, the state highway department shall transfer and turn over to the county governing body of Colbert County road equipment, machinery and supplies of like kind and equal in value to the road equipment, machinery and supplies which Colbert County was required to transfer and turn over to the state highway department in accordance with Act No. 645, S. 593, Regular Session 1965 (Acts 1965, p. 1164), which required the state highway department to construct, repair and maintain roads and bridges in Colbert County.

Section 4. All persons employed by the state highway department in the construction, repair and maintenance of county roads and bridges in Colbert County upon the adoption of this Act shall cease to be employees of the state highway department, shall no longer be subject to the State Merit System Law, and shall insofar as is practical continue to be employed by the county in the construction, repair and maintenance of county roads and bridges in the county, subject to the approval of the county governing body.

Section 5. Any contract for the construction, repair of maintenance of county roads and bridges in Colbert County entered into by the state highway department prior to the adoption of this Act shall remain in full force and effect until the terms thereof have been complied with.

Section 6. All outstanding financial obligations which were incurred prior to the adoption of this Act for the construction, repair, or maintenance of county roads and bridges in Colbert County shall, upon the adoption of this Act, become outstanding financial obligations of Colbert County, and shall be retired or paid in accordance with the terms under which such indebtedness was incurred.

Section 7. The county governing body may appoint a county engineer, who shall possess all the qualifications prescribed for county engineers by the general laws of Alabama and who shall perform all the duties thereby required of county engineers. The engineer's salary shall be fixed and be payable in the manner described in the general law for fixing and paying the salary of county engineers.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. Act No. 645, S. 593, Regular Session 1965 (Acts of Alabama, 1965, p. 1164), and all other laws or parts of laws in conflict with the provisions of this Act, are hereby repealed.

Section 10. The provisions of this Act shall become operative only if approved by a majority of the electors of Colbert County, voting in a referendum to be held three months after the date of its enactment. The county governing body of Colbert County shall order and provide

for the holding of the referendum on such date. On the ballots to be used at the election and question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1969 Regular Session of the Legislature, approved by _____ day of _____, 1969, which provides for the transfer from the State Highway Department to the county governing body of Colbert County of certain duties relative to the construction, maintenance and repair of roads and bridges in Colbert County, be adopted? Yes (), No ()." If a majority of the votes cast in the election are "Yes," then the provisions of this Act shall become operative immediately. If the majority are "No," this Act shall have no further effect. The results of the election shall be certified by the probate judge to the Secretary of State, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA COLBERT COUNTY

Before me, Jo Ann Johnson a Notary Public, in and for said State and County aforesaid, personally appeared Richhard S. McGrew Sr., Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: July 10, 17, 24, 31, 1969. That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

RICHARD S. MCGREW, SR.
Publisher.

Sworn to and subscribed before me, this 2nd day of August, 1969.

JO ANN JOHNSON,
Notary Public.

By Messrs. Graham and Berryman (W):

H. 1354. To amend Title 51, section 94, as last amended, Code of Alabama 1940, so that the annual term of service and compensation of members of the several county boards of equalization shall be on a basis of total assessed value of all taxable property using the year 1969 as the basis.

Judiciary.

By Messrs. Steagall, Brassell, Bank, Culver and Mays:

H. 1355. To amend Code of Alabama 1940, Title 22, Section 258, which prescribes the penalty for possessing, transporting, delivering, selling, offering to sell, barter or give away marijuana and certain other drugs.

Judiciary.

By Mr. Blanton:

H. 1356. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit

to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Malone, Owens (W.E.) and Wright:

H. 1357. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing for the payment from the county treasury of an additional supplementary salary to each of the court reporters for the circuit courts of such counties.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 1358. To divide Houston County into four commissioners' districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

Local Legislation No. 1.

Notice and Proof H. 1358:

STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To divide Houston County into four commissioners districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

Be It Enacted by the Legislature of Alabama:

Section 1. Houston County is hereby divided into four commissioners' districts as follows: District Number 1 shall embrace and be composed of Beats 1, 2, 4, 5, 6, 7 and 15; District Number 2 shall embrace and be composed of Beat 17 (Wards 1 and 4 in the City of Dothan); District Number 3 shall embrace and be composed of Beat 3 (Wards 2 and 3 in the City of Dothan); and District Number 4 shall embrace and be composed of Beats 8, 9, 10, 11, 12, 13 14, 16 and 18.

Four persons shall be elected to membership on the county governing body of Houston County at the general election in 1970, and every four years thereafter, one to represent each of the above described districts. Each member shall at the time of his election or appointment and so long as he holds office as a member of such governing body be a resident and qualified elector of the district he represents. He shall be nominated by the qualified electors of the district he represents in the manner prescribed for nominating candidates for other county

offices; and he shall be elected by the qualified electors of the district. His term of office shall be for a period of four years beginning on the first Monday after the second Tuesday in January after his election and until his successor has been elected or appointed and has qualified.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
HOUSTON COUNTY**

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 15, 22, 29, Aug 5, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 6th day of August, 1969.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 1359. To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

Local Legislation No. 1.

Notice and Proof H. 1359:

**STATE OF ALABAMA
COUNTY OF HOUSTON**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and author-

ity as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue for Houston County, which is established pursuant to Act No. 599, H. 898 of the Regular Session of 1949 (Acts 1949, p. 931) shall upon the expiration of the term of the incumbent members thereof be abolished. At this same time the judge of probate of Houston County is hereby relieved of his duties, powers and authority as president and ex officio member of such governing body.

Section 2. There is hereby established in lieu of said Board of Revenue for Houston County a new county governing body to be known as the Houston County Board of Commissioners to consist of a chairman and four commissioners. The chairman shall be authorized to vote, however, only in case of a tie.

Section 3. At the general election in November 1970 and every four years thereafter the qualified electors of Houston County at large shall assume office on the first Monday after the second Tuesday in January after his election and shall hold office for a term of four years until his successor has been elected or appointed and has qualified. The chairman must be a resident and qualified elector of Houston County at the time of his election or appointment and so long as he holds such office. He may, however, reside anywhere in the county.

Also at the general election in November 1970 and every four years thereafter there shall be elected four members of the commission, one to represent each of the four commissioners' districts into which the County of Houston is divided by an act adopted at this current regular session of the legislature of 1969. Each member of such governing body shall at the time of his election or appointment and so long as he holds office as a member of such governing body be a resident and qualified elector of the district he represents. He shall be nominated and elected by the qualified electors of the district. His term of office shall be for a period of four years beginning on the first Monday after the second Tuesday in January after his election and until his successor has been elected and has qualified.

Section 4. There is hereby conferred upon the Houston County Board of Commissioners and the members and chairman thereof, all of the general authority, power and duties now provided, or which may hereafter be provided to boards of revenue or commissioners courts, under the general laws of the State of Alabama, and amendments thereto not inconsistent with the provisions of this Act, and for the acts of said board equal, several and joint liability are hereby fixed for the members thereof. And in addition to the above duties and powers set out, the members of the board of commissioners and the chairman thereof shall be charged with all the duties and responsibilities and shall have all the powers and authority heretofore had and exercised, pursuant too said Act No. 599 of 1949 by the Board of Revenue of Houston County and the chairman thereof; and they shall be subject to the same pains and penalties.

Section 5. In case of vacancy on the board of commissioners, such vacancy shall be filled by appointment by the Governor of Alabama, and the person appointed shall hold office for the remainder of the term and until his successor has qualified.

Section 6. As compensation for the performance of their duties the chairman of the board of commissioners shall receive a salary of \$9,600 per annum and the commissioners shall each receive a salary of \$4,500 per annum. Such salaries shall be paid in equal monthly or semi-monthly installments as the salaries of other county officers and employees are paid, and shall be paid out of such fund or funds in the county treasury as specified by such board of commissioners. In addition to such salaries the chairman and each commissioner shall also be entitled to receive from the county treasury an expense allowance of seventy-five dollars per month.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 15, 22, July 29, Aug 5, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 6th day of August, 1969.

EUGENE S. McCLINTIC,
Notary Public.

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 1360. Relating to Franklin County; to fix the compensation of members of the jury commission.

Local Legislation No. 1.

Notice and Proof H. 1360:

STATE OF ALABAMA COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Franklin County; to fix the compensation of members of the jury commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the jury commission in Franklin County shall be paid the sum of \$15 per day for the time actually engaged in the discharge of his duties as such member, to be paid out of the county treasury upon the warrant of the probate judge of the county. Such warrants are to be issued by such probate judge upon evidence satisfactory to him that such service has been rendered.

Section 2. All laws or parts of laws which conflict with this Act are repealed; and it is specifically provided that this Act supersedes Act No. 653, H. 878, Regular Session 1967 (Acts 1967, p. 1475) as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1361. Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

Local Legislation No. 1.

Notice and Proof H. 1361:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner in Franklin County shall be entitled to an allowance for clerical or secretarial assistants of \$75 per month, which

shall be payable from the general funds of the county in equal monthly installments at the end of each month. The expense allowance provided in this Act shall be in addition to any other allowance or compensation provided by law.

Section 2. All laws or parts of laws in conflict herewith are repealed; and it is specifically provided that this Act supersedes Act No. 564, H. 721, Regular Session 1967 (Acts 1967, p. 1319) as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1362. Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Local Legislation No. 1.

Notice and Proof H. 1362:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when

such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Franklin County when its roads and bridges are constructed, maintained and repaired by the state highway department.

Section 2. Each year the judge of probate of Franklin County shall deduct \$30,000 from the first monies collected by him from that part of the motor vehicle and trailer license taxes allocated to the county, and withhold this amount when he remits the county's portion of these taxes to the state highway department, pursuant to an act placing responsibility for the construction, maintenance and repair of such county's roads on the highway department. The judge of probate shall deposit the \$30,000, so deducted and withheld, in a separate account in the county treasury. Monies in such account may, in the discretion of the county governing body, be used to defray expenses incurred by the county in administering and enforcing motor vehicle and traffic laws or in connection with or incident to establishing, changing or relocating roads and bridges in the county, including, but not limited to: paying the salaries and expenses of the sheriff and his deputies incident to the administering and enforcing of motor vehicle and traffic laws, such part of the expenses of maintaining and operating the jail as is incurred in enforcing motor vehicle and traffic laws, and such part of the expenses of the county governing body as are incident to the duties of the members thereof relative to roads and bridges.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws, general, local or special in conflict herewith are to the extent of such conflict hereby repealed. It is specifically provided that this Act supersedes Act No. 685, H. 843, Regular Session 1967 (Acts 1967, p. 1511), as to Franklin County.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1363. Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

Local Legislation No. 1.

Notice and Proof H. 1363:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the county board of registrars in Franklin County shall receive fifteen dollars (\$15) per day for each day's attendance upon the session of the board. Of this, ten dollars (\$10) per day shall be paid by the state as prescribed by Act No. 531, S. 101, Regular Session 1947 (General Acts 1947, p. 388), as amended, and the remaining five dollars (\$5) shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed; and it is specifically provided that this Act supersedes Act No. 565, H. 722, Regular Session 1967 (Acts 1967, p. 1320) as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1364. Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

Local Legislation No. 1.

Notice and Proof H. 1364:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The officers appointed to hold elections in Franklin County shall each be entitled to ten dollars. The returning officer shall also be entitled to mileage as prescribed in Code of Alabama 1940, Title 17, Section 198 as amended. The several claims of the election officers shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered. All amounts paid to election officers under this Act for compensation, per diem or mileage in excess of the amounts prescribed by general laws shall not be reimbursable by the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed; and it is specifically provided that this Act supersedes Act No. 140, H. 409, Regular Session 1967 (Acts 1967, p. 476), as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1365. Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

Local Legislation No. 1.

Notice and Proof H. 1365:

STATE OF ALABAMA

COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Franklin County shall each be entitled to expenses in the amount of \$17.50 per month. Such allowance shall be in addition to all other allowances for expenses heretofore provided for by law and shall be payable from the public school funds of the county at the end of each month.

Section 2. All laws and parts of laws in conflict herewith are repealed, and it is specifically provided that this Act supersedes Act No. 139, H. 407, Regular Session 1967 (Acts 1967, p. 475), as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1366. Relating to Franklin County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

Local Legislation No. 1.

Notice and Proof H. 1366:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of equalization in Franklin County shall each be paid out of the general funds of the county a per diem supplement of five dollars for each day such member is engaged in the discharge of his official duties, which shall be in addition to the per diem compensation paid by the state and county as otherwise provided for by law.

Section 2. This act supersedes Act. No. 137, H. 405, Regular Session 1967 (Acts 1967, p. 474) as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Berryman (W.) and Graham (with notice and proof):

H. 1367. Relating to Franklin County; to regulate the compensation of jurors.

Local Legislation No. 1.

Notice and Proof H. 1367:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; to regulate the compensation of jurors.

Be It Enacted by the Legislature of Alabama:

Section 1. Jurors, grand and petit, in Franklin County, shall each be entitled to \$10 for each day's service, ten cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be received in payment of county taxes, and other county dues, and shall be payable out of the county treasury.

Section 2. All laws or parts of laws, general, special or local, in conflict with this Act are hereby repealed, and it is specifically provided that this act shall supersede Act No. 138, H. 406, Regular Session 1967 (Acts 1967, p. 474) as to Franklin County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

CLAUDE E. SPARKS

Sworn to and subscribed before me August 7, 1969.

MAE G. STREIT,
Notary Public.

By Mr. Tuck:

H. 1368. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Local Legislation No. 1.

By Mr. Tuck:

H. 1369. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Local Legislation No. 1.

By Mr. Tuck:

H. 1370. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Local Legislation No. 1.

By Mr. Tuck:

H. 1371. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Local Legislation No. 1.

By Mr. Tuck:

H. 1372. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Fine:

H. 1373. Relating to counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to fix the compensation of the chairman and each member of the board of equalization in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Neville, Turnham, Young, Snell, Harper, Brassell, Paulk and Higginbotham:

H. 1374. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Local Legislation No. 1.

By Messrs. Neville, Young, Turnham, Snell, Harper, Brassell, Paulk and Higginbotham:

H. 1375. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

Local Legislation No. 1.

By Messrs. Jones, Grainger, Pennington, Laxson and McLain:

H. 1376. To amend further Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended, so as to delete the provision relative to the district attorney of the twenty-third judicial circuit.

Ways and Means.

By Messrs. Laxson, Pennington, Jones, McLain and Grainger:

H. 1377. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Local Legislation No. 4.

By Messrs. Pennington, Jones and Grainger:

H. 1378. To amend Section 262 of Title 46 of the Code of Alabama 1940 (Recomp. 1958) relating to the practice of medicine in the State of Alabama; practicing medicine, osteopathy or chiropraxy without license; penalty for.

Health.

By Messrs. Pennington, Jones and Grainger:

H. 1379. To amend Section 257 (2) of Title 46 of the Code of Alabama 1940 (Recomp. 1958), relating to the State Licensing Board of Healing Arts, scope of powers, practice of healing arts defined.

Health.

By Messrs. Dill, Watkins, Gafford, Money, Holman, Weeks, Adwell, Ellis, Cook (Jefferson), Sessions, Yeilding, Cherner and Waggoner:

H. 1380. To fix and provide for the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Weeks, Meeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner (with notice and proof):

H. 1381. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Local Legislation No. 2.

Notice and Proof H. 1381:

Notice is hereby given of intention to apply at the Regular Session of the legislature of Alabama of 1969 for the adoption of an Act which will be as follows:

AN ACT

To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965 p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 497 of the Regular Session of Alabama of 1965 is hereby amended so as to read as follows:

"Section 5. (a) Determining Service Credits. The Pension Board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the Board allow credit as service for any period of more than a half month's duration during which the employee was absent without pay. In all such cases the records of the county personnel board and the records of employment of the agency or agencies of the county government employing such person shall be deemed, prima facie, to speak the truth. The decision of the Pension Board shall be final.

"(b) Correction of Records On Which Service Credits Are Based. The following words and terms have the meanings hereby ascribed to them: 'service record' means the employee's record of service upon which the Pension Board bases its determination as to the amount of benefit a person is entitled to receive, including records of the county personnel board and of the employment agency employing such person; 'employee' includes an employee and also any beneficiary entitled to a benefit under this system because of his or her relation to an employee belonging to this pension system.

"Subject to the conditions herein prescribed, the Pension Board shall correct any error in an employee's service record which the Pension Board concludes it is necessary to correct to remove an injustice or prevent a person from receiving less or more than the law entitles him to receive as a benefit from this pension system.

"The Pension Board shall adopt written rules prescribing the procedure the Board will follow in considering whether an error in an employee's service record should be corrected, under the provision of this subsection (b).

"The power of the Board to correct an error hereunder shall be subject to the following limitations:

(1) No error in the service record shall be corrected except by the Pension Board.

(2) The Pension Board shall not correct any error in an employee's service record until the Board has accorded, or offered to accord, the employee a hearing regarding the proposed correction, which hearing shall not be conducted until after the employee has received at least two weeks notice of the nature of the proposed correction and of the time and place at which the proposed correction will be considered.

(3) No correction of an error shall be made under this subsection (b) at an employee's request unless the employee files with the Pen-

sion Board his written request for such correction before the latter of the following dates: January 1, 1970, or the date one year subsequent to the employee's discovery of the error requested to be corrected; provided, however, the Pension Board may excuse an employee's failure to file such application for correction within one year following his discovery of such error, if the Board finds that excusing such failure would be in the interest of justice.

"(c) If the Pension Board, acting pursuant to the authority vested in it by subsection (b), above, determines that any amount has been erroneously deducted from the salary of an employee and paid into the fund, or that any amount has been otherwise paid into the fund erroneously upon behalf of any employee, such amount shall be refunded to the employees, and any amount which may have been paid erroneously to match the employee's erroneous contribution to the fund shall be refunded to the particular fund from which such matching contribution was paid to the pension system fund. The Pension Board is authorized to determine whether interest shall be payable on any amounts returned, as aforesaid, and to determine the amount of such interest to be paid, if any; provided, however, that no interest shall be paid to any employee responsible for the error resulting in the erroneous payment."

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 5, 12, 19, 26, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Watkins, Dill, Adwell, Money, Jackson (T), Ellis, Waggoner, Holman, Meeks, Weeks, Cook (Jefferson), Sessions and Yeilding:

H. 1382. To amend Section 4 of Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama 1959, Page 1376 et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, Page 1579, et seq., as amended).

Local Legislation No. 2.

By Messrs. Watkins, Adwell, Cherner, Money, Jackson (T), Dill, Holman, Meeks, Weeks, Cook (Jefferson), Sessions and Yeilding:

H. 1383. To amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) entitled, "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

Local Legislation No. 2.

By Messrs. Dill, Watkins, Money, Holman, Meeks, Weeks, Adwell, Ellis, Cook (Jefferson), Sessions and Yeilding:

H. 1384. To fix and provide for the compensation or salary of the Assistant or Associate Judges of Probate in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1385. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which Act established a Pension System for officers and employees of Jefferson County.

Local Legislation No. 2.

Notice and Proof H. 1385:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1969 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

AN ACT

To further amend Act No. 497 of the regular session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which act established a pension system for officers and employees of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby provided that Section 1 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), as heretofore amended, is hereby further amended so as to read as follows:

"Section 1. Definitions: In this Act words used in the masculine gender shall include the feminine and neuter genders and words used in the neuter gender shall include the masculine and feminine genders. The following words, terms and phrases, wherever used in this Act, shall have the meaning respectively ascribed to them in this Section

unless the context plainly indicates a contrary meaning. (a) The term 'the system' shall mean the General Retirement System for Employees of Jefferson County established by this Act. (b) The term 'the previous retirement systems' shall include the retirement systems established by Act No. 551 of the Legislature of Alabama of 1953, (Ala. Acts, 1953, pages 766 et seq.), as amended, or by Act No. 843 of the Legislature of Alabama of 1961, (Ala. Acts, 1961, pages 1250 et seq.), as amended. (c) The word 'Board' shall mean the Pension Board provided for in this Act to administer the retirement system. (d) The word 'County' shall mean Jefferson County. (e) The word 'employee' shall mean any person employed by the County at a wage or salary payable at regular intervals, including those in the classified service and those not in the classified service according to any civil service system in operation in said County! and provided further, that a person shall be deemed to have been an employee of the County during all the period he served as an employee of a License Inspector prior to the time a retirement system became operative in the County not exceeding twenty (20) years whether such service was under the State of Alabama or under the County; and a person shall be deemed to have been, or to be, an employee of the County while he was serving, or while he shall serve, as the Solicitor of the Court of Juvenile or Domestic Relations of the County, the Solicitor of the Jefferson County Criminal Court or as a deputy appointed by the Circuit Solicitor serving in the County; and a person shall be deemed to have been, or to be, an employee of the County while he was serving, or while he shall serve, as an employee of the Cooperative Extension Service of the State of Alabama, provided he was receiving or shall be receiving, monthly compensation from the County for service performed by him as such employee; and any person elected or appointed to a job or position with or for the County, whose compensation was paid, or shall be paid, in whole or in part, by said County, shall be deemed to have been, or to be, an employee of the County while occupying such job or position; provided, however, that the word 'employee' shall not include any person who is appointed or elected as a member of any board or commission of the County the service on which board or commission does not require full time service for the County or the members of which said board or commission receive no compensation except for meetings attended by them. (f) The term 'officer' shall include any person occupying a County office in said County which is created by an Act of Legislature of Alabama, or is provided for by the Constitution of Alabama, and which requires regular full time service for said County, and the Circuit Solicitor serving in the County. (g) The word 'member' shall include any person who is a member of the system provided for by this Act. (h) The term 'paid membership time' shall include the time during which a member made, or shall have made, contributions to the fund of the system or to the fund of either of the previous retirement systems; provided, however, that if a member, on account of the termination of his service or for any other reason, withdraws contributions made by him to any pension fund, the period during which the contributions so withdrawn were made shall be considered as unpaid membership time, unless it is converted to paid membership time as hereinafter provided. Paid membership time shall include any unpaid membership time, as defined in subsection (i) of this Section which the member has converted into paid membership time by paying in to the fund of the system the amount he is required by this Act to pay thereto in order to convert unpaid membership time to paid membership time. Paid membership time shall also include service while one was on authorized military leave of absence from the County, provided, however, the County shall have paid into the fund an amount equal to twice the contributions which the one so absent would have made to the fund if he had not been absent on such leave and if his wages or salary had continued to be the same as he had been earning at the time of his leave. (i) The term 'unpaid membership time' shall include the period during which a member has served, or shall have

served, with the County and during which he has not made, or shall not have made, contributions to the fund of the system or to the funds of either of the previous retirement systems. Unpaid membership time shall not include any unpaid membership time after the same has been converted to paid membership time. Unpaid membership time shall also include the time during which a person has been, or shall have been, employed on a full-time job, or position, in the service of any municipality, governmental agency, or subdivision, provided that at the time said person served with such municipality, governmental agency, or subdivision, it was subject to the county-wide civil service law in effect in the county; provided further, that no service with a municipality, governmental agency, or subdivision, shall be counted as unpaid membership time if the employee has received a pension from a municipality, governmental agency, or subdivision, on account of such service, or if such service has been considered in determining the amount of a pension allowed, or granted such employee on account of his service with the municipality, governmental agency, or subdivision. A person shall be deemed to have occupied a full-time job, within the meaning of this subsection (i), while he held an elective office or a position in the classified service (civil service). If such prior service (with a municipality, governmental agency, or subdivision) was not in an elective office or in a classified position, such prior service shall not be treated as unpaid membership time unless the employee involved establishes to the satisfaction of the Pension Board that such service was on a full-time job. The Legislature hereby makes a legislative declaration as to its intent with respect to the following provision which Act No. 408 of the Legislature of Alabama, 1967 (Ala. Acts, 1967, p. 1034), added to Section 1 of Act No. 497 of the Regular Session of the Legislature, 1965 (Ala. Acts, 1965, p. 717): 'The term 'unpaid membership time' shall so include the time during which a person has been, or shall have been, in the service of any municipality, governmental agency, or subdivision, provided that at the time said person served with such municipality, governmental agency, or subdivision, it was subject to the countywide civil service law in effect in the county.'

It is hereby declared that the term in the service of any municipality, governmental agency, or subdivision' employed in the sentence quoted next above, was intended to be limited to a full-time job, and was not intended to include a part-time job. (j) The term 'eight hundred dollar proviso' shall mean the provision contained in Section 9 of this Act which accord any person who is a member of the system on the effective date of this Act the option to subject to the salary deductions provided for in said Section 9 all salary earned by him from the County not exceeding eight hundred dollars (\$800.00) per month, including salary earned by him prior to exercising such option. (k) Subject to the limitations and conditions hereinafter specified in this subsection (k) the term 'basic average salary' shall mean the average of the monthly salary paid to the member by the County over that period of sixty (60) consecutive months of his paid membership time during which his average monthly salary was higher than any other period of sixty (60) consecutive months of his paid membership time. In determining a member's basic average salary, only that part of his average salary which was, or shall be subject to deductions for pension purposes under the provisions of Section 9 of this Act shall be considered; provided, however, that if a member elects under the provisions of Section 9 to make the eight hundred dollar proviso apply retroactively to any period of his service, then for the purpose of determining his basic average salary he shall be deemed to have received during that period to which his said election retroactively applies all salary actually paid him not exceeding salary at the rate of eight hundred dollars (\$800.00) per month. The salary received by a member during his unpaid membership time shall be considered in determining his basic average

salary only to the extent that his unpaid membership time has been converted into paid membership time under the provisions of Section 9 of this Act. Separate periods of paid membership time may be tacked and considered as consecutive within the meaning of this subsection (k) if the member does not have in his favor any paid membership time between the periods so tacked."

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 5, 12, 19, 26, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner (with notice and proof):

H. 1386. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges.

Local Legislation No. 2.

Notice and Proof H. 1386:

LEGAL NOTICE

Notice is hereby given that a Bill will be introduced at the next Regular Session of the Alabama Legislature, 1969, for the passage of an Act to increase the annual salaries of the Judges of the Civil Court of Jefferson County.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper

in the issues of March 8, 15, 22, 29, 1969, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 31st day of March, 1969.

ANGIE CAMPISI,
Notary Public.

By Messrs. Watkins, Dill, Money, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner:

H. 1387. To provide for the payment of expense allowances for county officers serving the positions of Deputy Tax Assessor, Deputy Tax Collector, Deputy Treasurer in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner:

H. 1388. To amend Section 10 of Act No. 556 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama, 1959, pages 1376, et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama 1951, page 1579, et seq., as amended).

Local Legislation No. 2.

By Messrs. Watkins, Gafford, Holman, Ellis, Jackson (T), Cherner, Dobbs, Dill, Sessions and Waggoner:

H. 1389. To authorize law enforcement officers to arrest for public offenses, whether committed in their presence or not.

Judiciary.

By Messrs. Watkins, Dill, Money, Ellis, Jackson (T), Waggoner, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Cherner, Sessions and Yeilding:

H. 1390. To provide for the payment of expense allowances for county officers serving in the position of a member of the Board of Equalization and Adjustments in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Watkins, Money, Jackson (T), Dill, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1391. To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1391:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1969 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

AN ACT

To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717), as heretofore amended, is hereby further amended so as to read as follows:

"Section 10. Retirement for Superannuation. (a) Within the meaning of this Section 10 two (2) periods of service shall be deemed to be consecutive if the latter period of service commences within ninety (90) days of the termination of the earlier period of service.

"Anything herein to the contrary notwithstanding, no pension shall be payable hereunder, based upon length of service, unless the person receiving the pension shall have been in the service of the County for three (3) consecutive years immediately preceding his retirement; provided, however, that the requirement of three (3) consecutive years service, immediately preceding retirement, shall not apply to any member who retired, or became eligible for retirement, under this Act prior to the adoption of the provision imposing the said requirement of three (3) consecutive years service immediately preceding retirement.

"When any member of the retirement system established by this Act has not less than ten (10) years paid membership time, as defined in Section 1 of this Act, and has attained the age of sixty (60) years, he shall be eligible for retirement for superannuation but such retirement shall not be compulsory.

"Subject to the limitation stated in the sentence next following this sentence, it is hereby provided that any member who has attained the age of fifty-five (55) years on January 1, 1962, and has made contributions to the system for a period of not less than five (5) years, and has attained the age of sixty (60) years shall be eligible for retirement for superannuation but such retirement shall not be compulsory. After September 1, 1969, the provision of the next foregoing sentence shall not apply to any person except one who prior to said date shall have retired or become entitled to retire under the said provision.

"Any member shall be eligible for retirement for superannuation upon the completion of thirty (30) years or more of service with the County, at least ten (10) years of which shall be paid membership time; provided, however, that if at the time of retirement such member has not attained the age of sixty (60) years, the amount of his monthly pension computed in accordance with the formula set forth in subsection (b) hereof, shall be reduced as hereinafter provided. Any member who is eligible for retirement and who desires to retire, shall be granted the benefits herein provided for upon a written application by himself, or, in the event he is mentally or physically incapacitated, by someone acting in his behalf, upon application to be filed in the office of the Pension Board.

"Any member not entitled to voluntarily retire under the foregoing provisions who shall be involuntarily retired after having accumulated eighteen (18) years of service with the County, at least ten (10) of which shall be paid membership time, shall be entitled to receive a monthly pension computed in accordance with the formula set forth in subsection (b) hereof, the payment of which pension will commence at the time hereinafter stated; provided, however, that no member shall be entitled to such pension unless he pays into the fund of the system between the date of his retirement and the date on which the pension will commence the amounts hereinafter specified. The term 'deferred pension', as used herein, means the pension provided for in the next foregoing sentence. If a member be involuntarily retired after having accumulated eighteen (18) years of service with the County, at least ten (10) of which years shall be paid membership time, and if he shall make the payments to the fund of the system hereinafter prescribed, payment of his deferred pension shall commence upon that date of the two following dates which first comes: (1) The date on which he attains the age of sixty (60) years; or (2) the date on which he would have completed thirty (30) years' service with the County, if instead of retiring he had continued in the service of the County; provided, however, that if at the time payment of the deferred pension commences he has not attained the age of sixty (60) years, the amount of his monthly pension computed in accordance with the formula set forth in subsection (b) hereof shall be reduced as hereinafter provided. No person shall be entitled to receive the deferred pension unless he pays to the fund of the system, between the date of his retirement and the date on which payment of the deferred pension is to commence, the amount hereinafter prescribed. In order to be entitled to receive the deferred pension, the member, during the period specified in the next foregoing sentence, shall pay to the retirement fund before the last day of each calendar month the sum of the following amounts: (1) The amount which would have been deducted from his salary and paid into the fund of the system during the month if he had continued to be employed by the County at the same salary he was earning on the date of his retirement; and (2) the amount which the County would have paid to the system during the month to match his salary deduction for the month, if he had continued to be employed by the County at the same salary he was earning on the date of his retirement. In order to become entitled to the deferred pension a member so retired shall make the payments prescribed in the next foregoing sentence not later than the time prescribed in said sentence; but he may make all or any part of said payments in advance of the time prescribed in the said sentence.

"Any member not entitled to voluntarily retire under the foregoing provisions who shall be involuntarily retired after having accumulated twenty (20) years of service with the County, at least ten (10) of which shall be paid membership time, shall be entitled to receive a monthly pension computed in accordance with the formula set forth in subsection (b) hereof, the payment of which shall commence upon his retirement if he is then as much as fifty-five (55) years of age, and if he is less than fifty-five (55) years of age when he retires the payment of such pension shall commence upon his attaining the age of fifty-five (55) years. In order for a member to be entitled to the deferred pension provided for in the next foregoing sentence it shall not be necessary that any payments to the retirement fund be made by him for any period following his involuntarily retirement.

"No person shall be entitled to receive a deferred pension if his separation from the service of the County was due to his misappropriation of funds or property of the County, or to moral delinquency on his part.

"(b) Benefits. If upon a member retiring he is sixty (60) years of age or has previously attained his sixtieth (60th) birthday, he shall receive a monthly pension for the remainder of his life to be determined by the following formula:

(1) One and three-fourths percent ($1\frac{3}{4}\%$) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

(2) One percent (1%) of his basic average salary multiplied by the number of years of his paid membership time in excess of thirty (30) years; plus.

(3) One-half of one percent ($\frac{1}{2}$ of 1%) of his basic average salary multiplied by the number of years of his unpaid membership time.

"In computing the amount of benefits under the foregoing formula, the Board may disregard a fractional part of a year of paid membership time or unpaid membership time less than one-twelfth ($1/12$ th).

"If a member shall have completed at least thirty (30) years service, ten (10) of which shall be paid membership time, but shall have not attained his sixtieth (60th) birthday on or before his date of retirement, he shall receive a monthly pension payable for the remainder of his life to be determined by multiplying the monthly benefits determined in accordance with the formula set forth above by the percentage factor shown in the following schedule corresponding to the age of such member on his last birthday preceding date of his retirement.

Age of Member on Last Birthday Preceding Retirement	Reduced Pension on Account of Retirement Before Age 60 Expressed as a Percentage of the Pension Which would Have Been Payable at Date of Retirement If the Member Were Then Age 60
59	93%
58	87%
57	82%
56	77%
55	72%
54	68%
53	64%
52	60%
51	57%
50	54%
49	51%
48	48%

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALA-

BAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 5, 12, 19, 26, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Dill, Yeilding, Cherner, Meeks, Waggoner, Holman, Money, Weeks, Adwell, Cook (Jefferson) and Sessions (with notice and proof):

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

Local Legislation No. 2.

Notice and Proof H. 1392:

NOTICE

Notice is hereby given that a Bill will be introduced in the current session of the Legislature of Alabama for the passage of an Act to abolish the Court of General Sessions of Jefferson County in precincts 9, 10, 21, 42, 29, 45 and 52, now known as precincts 4, 5, 6, 7, 8, 9 and 10, in said County, as created by the Act of the Legislature of Alabama in Act No. 74, Page 94, 1st. and 2nd. Special Sessions 1964, and to establish an Inferior Court in said precincts and all other precincts lying within or partly within limits of the City of Birmingham, in lieu of all Justices of the Peace and all Notaries Public, with powers of Justices of Peace in said precincts and with limited concurrent jurisdiction with other courts in the Birmingham Division of the said County, to define the jurisdiction and powers of said Court, the Judge, Clerk and other officers thereof to provide for place or places for holding said Court, the manner of appointment, term and salary of said Judge; to regulate procedures, trials and appeals and preservation of records thereof.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 17, 24, 31, June 7, 1969, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 9th day of June, 1969.

ANGIE CAMPISI,
Notary Public.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1393. To further amend Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 Et Seq.), which established a Pension and Retirement System for officers and employers of Jefferson County.

Local Legislation No. 2.

Notice and Proof H. 1393:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1969 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

AN ACT

To further amend Act No. 497 of the Legislature of Alabama of 1965. Approved August 20, 1965 (Ala. Acts 1965, p. 717 et seq.), which established a pension and retirement system for officers and employers of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq., as heretofore amended, is hereby further amended so as to read as follows:

"Section II. Joint Survivorship Pension Option.

"(a) The purpose of this Section II is to enable a member to provide for his widow or other dependents by accepting in lieu of the normal pension provided for by Section 10, above, a Joint Survivorship Pension payable so long as the member or his dependent lives. The Joint survivorship Pension shall be in an amount less than the amount payable under said Section 10. The amount of the monthly income under this option shall depend upon several factors including the age and sex of the member and of the dependent named. By written request of any member filed with the Pension Board within the time specified in the next succeeding sentence, and upon compliance with such further conditions as may be set forth by the Pension Board and as may be ap-

plicable to the particular request, any member may elect to receive the joint Survivorship pension in lieu of the pension provided for in Section 10, above. Such written application shall be filed with the Pension Board at least one year prior to the date of the applicant's actual retirement; provided, however, that such application may be filed within ninety (90) days from the effective date of this sentence in this subsection (a), even though filed less than one year prior to the date of the applicant's actual retirement.

"Following a member's retirement he shall be entitled to receive the pension provided for him in his Joint Survivorship Option. Under the Joint Survivorship Option the monthly payments provided for thereby will be paid to the member, or to the dependent designated by such member, provided his dependent survives after the death of the member; and the payments will terminate with the last monthly payment preceding the second death. Under the Joint Survivorship Option no benefit shall be payable to a dependent of a member in the event the member dies prior to the date on which he becomes eligible and entitled to retire and receive a pension, unless the member has made the prepayment provided for in subsection (b), below. It is provided, however, that if a member serves until he becomes eligible and entitled to receive a pension, the pension provided for his dependent under the Joint Survivorship Option shall be payable to the dependent following such member's death, if the dependent survives, irrespective of whether the member retired prior to his death or remained in the service until his death.

"The amount of payments to members and the amount of payments to dependents under the Option shall be such amounts as shall be determined from tables or schedules adopted and published, from time to time, by the Pension Board after the Board has considered the opinions and recommendations of an actuary or actuaries. The amounts paid under said Option shall be the actuarial equivalents of the pension provided for by Section 10.

"(b) The word 'prepayment,' as used in this subsection (b), means a member's payment at the time herein specified to the retirement fund of the sum of money which this subsection (b) requires that he pay to the fund in order to entitle his widow or other dependent to receive the allowance under a Joint Survivorship Option if he dies prior to becoming entitled to retire and receive a pension. The term 'eligible date', as herein used in this subsection (b), shall mean the date on which a member becomes eligible to retire and receive the pension provided for in Section 10, or, in case of his death before that time, the term 'eligible date' shall mean the date on which he would have become eligible to retire and receive a pension had he lived and continued in the employ of the County.

"A member shall make the prepayment when he elects to obtain the Joint Survivorship Option. The election cannot be made without prepayment in full. The prepayment, required to be made by a member to the retirement fund as aforesaid, shall be an amount equal to the sum of the following: (1) The salary deductions which the member would pay to the retirement fund between the date of such election and his eligible date if he remained in the service of the County continuously between the two dates at the same compensation as is payable to him at the time the election is made; and (2) contributions which would be paid into the retirement fund by the County, under Section 9 of the Act, between the two last mentioned dates to match the member's salary deductions if he remained in the service of the County as aforesaid.

"The provisions of this subsection (b) shall apply to any member of the system who has accumulated as much as twenty-five (25) years service with the County, at least ten (10) of which shall be paid member-

ship time, and who elects to make prepayment. Such election may be made at any time after the member has the service prescribed in the next foregoing sentence; provided, however, the Board may limit the time within which such election can be made following the member's accumulating the prescribed service. Such election shall be irrevocable. The election shall be made by the prepayment and by the member executing such instrument as may be prescribed by the Pension Board.

"The prepayment provided for in this subsection (b) shall be in lieu of the salary deductions and matching contributions by the County (required by Section 9 to be paid to the retirement fund) for and during the period between the date of the member's election to accept the Joint Survivorship Option and his eligible date; and during that period the deductions from the member's salary and the matching contributions required of the County, by Section 9 of the Act, shall cease. If a member remains in the service of the County subsequent to his eligible date, then the salary deductions and the matching contributions of the County, required by Section 9 of the Act, shall be resumed, commencing on his eligible date; provided, however, that for salary deductions and benefits payable after a member's prepayment he shall not be deemed to earn any monthly salary in excess of the monthly salary payable to him at the time of his prepayment; and provided, further, that any portion of his salary required by any provision of this Act to be excluded from his salary for any purpose under this Act shall continue to be excluded.

"Upon the retirement of a member who has made prepayment he shall receive the pension provided for in his Joint Survivorship Option. Upon the death of a member who has made such prepayment, whether his death occurs before or after his eligible date, his widow or dependent shall receive the pension as provided for in his Joint Survivorship Option; provided, however, that in no event shall any pension to his widow or dependent commence before his eligible date.

"(c) Any change made in this Section II by the amendment thereof during the 1969 Regular Session of the Legislature of Alabama shall not impair or affect in any way the right of any person which became vested by and through his exercise of the Joint Survivorship Option prior to said amendment."

Section 2. This Act shall become effective upon its approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 5, 12, 19, 26, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Watkins, Dill, Money, Jackson (T), Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner (with notice and proof):

H. 1394. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of the salaries of said judges.

Local Legislation No. 2.

Notice and Proof H. 1394:

LEGAL NOTICE

Notice is hereby given that a Bill will be introduced at the next Regular Session of the Alabama Legislature, 1969, for the passage of an Act to increase the annual salaries of the Judges of the Criminal Court of Jefferson County.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of March 8, 15, 22, 29, 1969, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 31st day of March, 1969.

ANGIE CAMPISI,
Notary Public.

By Messrs. Dill, Watkins, Cherner, Money, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1395. To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Local Legislation No. 2.

Notice and Proof H. 1395:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for the payment thereof.

Section I. This act shall apply in all counties having a population of 600,000 or more, according to the last or any subsequent federal census.

Section II: That the deputy probate judges or assistant judges of probate of counties having a population of 600,000 or more shall receive a salary of \$16,500.00 per annum, which salary shall be paid out of the County Treasury of said County in equal monthly installments.

Section III: That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Section IV: This act shall become effective on the first Monday after the second Tuesday in January, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were April 4, 11, 18, 25, 1969.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 25th day of April, 1969.

JOHN E. SMITH,
Notary Public.

By Messrs. Watkins, Dill, Cherner, Money, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Waggoner:

H. 1396. To fix the compensation or salary of the Register of the Circuit Court in all Counties having a population of 600,000 or more according to the last or any succeeding Federal census and to provide for the payment thereof.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Cherner, Money, Jackson (T), Holman, Meeks, Weeks, Waggoner, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1397. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Local Legislation No. 2.

Notice and Proof H. 1397:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Deputy District Attorney, who is elected by the people, of each said county from the general treasury of the county in equal bi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy District Attorney, the same will make the total annual salary of each such Deputy District Attorney Seventeen Thousand Five Hundred Dollars (\$17,500.00). The increase in salary provided in this Section 1 shall become effective on the first Monday after the second Tuesday of January, 1971, this being the beginning of the next term of said Deputy District Attorney.

Section 2. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census there shall be paid to the Assistant Deputy District Attorney of each said county from the general treasury of the county in equal bi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Assistant Deputy District Attorney, the same will make the total annual salary of each such Assistant Deputy District Attorney Twelve Thousand Five Hundred Dollars (\$12,500.00).

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 7, 14, 21, 28, 1969.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has

been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 28th day of March, 1969.

JOHN E. SMITH,
Notary Public.

By Messrs. Watkins, Dill, Money, Jackson (T), Ellis, Waggoner, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Sessions, Yeilding and Cherner:

H. 1398. To amend Act No. 91, H. 63, First Extra Session 1964 (Act 1964, Page 124), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Local Legislation No. 2.

By Messrs. Watkins, Money, Holman, Meeks, Weeks, Adwell, Cook (Jefferson), Cherner, Sessions, Yeilding and Dill:

H. 1399. To provide for the payment of expense allowance for county officers serving in the positions of Tax Assessor, Tax Collector, Treasurer, Probate Judge, and Members of the County Board of Registrars in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Local Legislation No. 2.

By Messrs. Meeks, Holman, Money, Weeks, Adwell, Ellis, Cook (Jefferson), Sessions, Yeilding, House and Gloor:

H. 1400. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Mr. Fite:

H. 1401. Relating to counties having populations of not less than 21,800 nor more than 21,850, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

Local Legislation No. 1.

By Mr. Grayson:

H. 1402. To fix the salary of the clerk of any inferior state or county court now having two judges in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census, and to regulate the payment thereof.

Local Legislation No. 3.

By Messrs. Nettles, Edington and Collins (C) (with notice and proof):

H. 1403. To authorize and provide for the establishment, operation and financing of a Public Defender office in Mobile County, Alabama, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender office; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the County and Municipal bodies from which received.

Local Legislation No. 3.

Notice and Proof H. 1403:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the establishment, operation and financing of a Public Defender office in Mobile County, Alabama, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office, to provide for the resignation and removal of the Public Defender and personnel of the Public Defender office; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the County and Municipal bodies from which received.

Be It Enacted by the Legislature of Alabama:

Section 1: There is hereby established the Public Defender Commission of Mobile County, Alabama, consisting of eight (8) members, each of whom shall be selected as set out below and shall serve the term of one (1) year:

- a) During the term of their respective offices, the five (5) duly elected officers of the Mobile Bar Association,
- b) During his term of office, one member of the Commissioners of the City of Mobile designated by said City Commission,
- c) During his term of office as such, one member of the Mobile County Commission selected by said County Commission,

d) During his term of office as an elected official and member of the Mobile County Municipal Association, one member designated by said County Municipal Association. Members of such Public Defender Commission may be re-appointed to annual terms on said Commission so long as they are serving as an elected member of the group or board by whom designated.

e) In the event any vacancy in the Public Defender Commission shall occur, the group or board which designated said withdrawing member shall appoint a successor from its membership provided that the members of the said Public Defender Commission shall, by a simple majority vote, select a replacement to serve until the designation of a successor by the group or board authorized herein to designate members of said Public Defender Commission.

f) Members of the Public Defender Commission shall serve without compensation as such but all reasonable expenses incurred by the Commission in the performance of its duties shall be paid or reimbursed from the Public Defender Fund on warrants drawn on the Treasurer of Mobile County by the Secretary of the Commission, approved in writing by the Chairman of the Commission.

g) The Chairman and the Secretary, respectively, of the Public Defender Commission of Mobile County, Alabama, shall be the duly elected President and Secretary of the Mobile Bar Association. The Commission shall have the power and authority to select the Public Defender; and within the limits of this Act:

- (i) To fix his compensation;
- (ii) Establish an annual budget for the Office of the Public Defender; and
- (iii) To make and establish rules and regulations for the conduct and operation of the Commission and of the Public Defender Office.

Section 2:

a) The Commission by vote of a simple majority of its members shall select from among the lawyers licensed to practice law in Mobile County, Alabama, the Public Defender of Mobile County, Alabama, on the first Tuesday after the first Monday in November, 1969, and every four (4) years thereafter, with the initial four (4) year term beginning on January 1, 1970.

b) The Public Defender shall upon entering his duties take the oath of office set forth in Section 279 of the Constitution of Alabama, 1901. He shall serve full time and his duties shall be limited to representation of indigent defendants who are accused of criminal offenses where representation is required by law after a finding of indigency by the Court. After such finding of indigency, in the event of appointment by the Court, the Public Defender shall thereafter provide representation for such defendants in all matters pertaining to charges against such defendants, including post conviction proceedings. The Public Defender may be appointed by any state, county or municipal judge of any court in Mobile County where appointment of legal counsel shall be required by law.

c) The Public Defender may resign or be removed from office by a vote of six (6) members of the Commission on sixty (60) days written notice. Cause for such removal from office shall be willful neglect of duty, corruption in office, incompetency or intemperance in the use of intoxicating liquors or narcotics to such an extent in view of the dignity of the office and importance of its duties as unfits the Public Defender

for the discharge of said duties or any offense involving moral turpitude while in office, or committed under color thereof or connected therewith. The decision of the Commission to remove the Public Defender shall be final and there shall be no right of appeal therefrom. Any vacancies in the office of the Public Defender shall be filled by the Public Defender Commission.

Section 3:

a) If any funds from any source be made available or offered to the Public Defender or his Assistants for the defense of any person for whom he has been appointed counsel, the same shall promptly be reported to the Court in which the case is pending; the Public Defender shall request the Court to make a further determination as to the effect of such available funds on the determination of indigency of the said Defendant. In the event that the Court shall find (a) that the Defendant is not an indigent, Section 5 below shall apply or (b) that the Defendant continues to be an indigent but that funds available should be accepted, such funds shall be paid directly to the Treasurer of Mobile County for deposit in the "Public Defender Fund."

b) All funds received by or payable to the Public Defender or the Assistant Public Defenders under the Provisions of Act No. 526, S. 362, approved September 16, 1963, as amended or supplemented, or pursuant to any other act or law now existing, or hereafter enacted shall be paid to the Treasurer of Mobile County, Alabama, and shall be placed by him in the Public Defender Fund.

c) In the event that any funds are received by the Public Defender, his Assistants or any other personnel in the Public Defender office by bequests, contributions or donations, all such funds shall be paid to the Treasurer of Mobile County, Alabama, and shall be placed by him in the Public Defender Fund.

d) Except as hereinabove provided, neither the Public Defender, nor any person employed by him in any capacity, including his Assistants, shall accept any money, funds, gifts or anything of value from any person whomsoever for any services rendered or to be rendered, pursuant to such employment in and by the Public Defender office.

Section 4: The provisions of this Act shall not be construed as preventing the appointment of any licensed attorney who requests such appointment in indigent cases, and a roster of such attorneys shall be kept by the Circuit Court Clerk which shall be available for use by the Judges of such Court. Each attorney appointed in such cases shall be entitled to receive for his services the fee provided in Act No. 526, S. 362, approved September 16, 1963, as amended, or supplemented, or pursuant to any other act or law now existing, or hereafter enacted.

Section 5:

a) In the event that, after the Public Defender has been appointed to represent a person accused of crime, it is determined by the Court in which the case is then pending that the Defendant is not then an indigent, or in the event the Defendant employs another attorney to defend him, the Court shall revoke the appointment of the Public Defender.

b) After being appointed to represent a person found to be indigent, the Public Defender is hereby authorized and directed to continue his investigation of indigency of said Defendant and his access to other funds and shall render a written report to the Court within sixty (60) days after such appointment.

c) Neither the Public Defender, nor any person in the employ of the Public Defender Offices, including his Assistants, shall suggest or recommend any attorney-at-law, by name or otherwise, to any person for any purpose at any time.

Section 6: The Public Defender for Mobile County shall be paid at an annual rate not exceeding the sum of NINETEEN THOUSAND FIVE HUNDRED DOLLARS (\$19,500.00) in equal monthly installments by the Treasurer of Mobile County, Alabama, from "Public Defender Fund."

Section 7: Within the limits of this act and subject to the approval of the Public Defender Commission, the Public Defender may appoint personnel as stated below and fix their compensation. Each shall serve at the pleasure of the Public Defender and be compensated as follows:

a) Assistant Public Defender No. 1 shall be a lawyer licensed to practice law in Mobile County, Alabama and shall serve full time and shall be paid at an annual rate not exceeding FOURTEEN THOUSAND FIVE HUNDRED DOLLARS (\$14,500.00) payable in equal monthly payments by the Treasurer of Mobile County, Alabama, from the "Public Defender Fund."

b) Assistant Public Defender No. 2 shall be a lawyer licensed to practice law in Mobile County, Alabama and shall serve full time and shall be paid at an annual rate not exceeding FOURTEEN THOUSAND FIVE HUNDRED DOLLARS (\$14,500.00) payable in equal monthly installments by the Treasurer of Mobile County, Alabama, from the "Public Defender Fund."

c) An investigator who shall serve full-time and be compensated at a rate not exceeding the sum of EIGHT THOUSAND DOLLARS (\$8,000.00) per annum. In the alternative, with the express approval of the Public Defender Commission, the Public Defender may, from time to time, secure investigative services by written contracts not exceeding such total sum annually. The Public Defender shall submit to the Public Defender Commission a written report and accounting, supported by vouchers of all sums expended for investigation not less frequently than quarter-annually.

d) Such secretarial, stenographic and clerical assistants as deemed necessary, each to be compensated at a rate not exceeding the sum of FIVE THOUSAND DOLLARS (\$5,000.00) annually and shall be paid in equal monthly installments by the Treasurer of Mobile County from the "Public Defender Fund."

e) The provisions of any existing merit system or civil service law shall not be applicable to such personnel, so appointed, and the provisions of any law, local or general, in conflict with any of the provisions of this section are repealed.

Section 8: The expenses of operating the office of the Public Defender, including space rental, furniture purchase or rental, equipment, supplies, typewriters, telephones and other items that are reasonably necessary for the operation and maintenance of such an office are hereby authorized and may be budgeted and approved by the Public Defender Commission in an amount not exceeding the sum of NINE THOUSAND DOLLARS (\$9,000.00) annually. Not later than August 15th of each year, the Public Defender shall submit a budget of all such expenses for the next calendar year for the operation of such office to the Public Defender Commission for approval. Not less frequently than semi-annually the Public Defender shall submit a written report and accounting, supported by appropriate vouchers, of all such expenditures to said Commission.

The Public Defender shall draw warrants on the Treasurer of Mobile County for said expenditures by him for such purpose, indicating on the warrants the funds against which the warrants are drawn.

Section 9: Funds for the purchase of law books, reports and periodicals for the Public Defender office may be budgeted and authorized by the Commission in an amount not exceeding the sum of FIFTEEN HUNDRED DOLLARS (\$1,500.00) per annum. The Public Defender shall submit a written report and accounting of such expenditures, together with appropriate vouchers, not less frequently than semi-annually to the said Commission.

The Public Defender shall draw warrants on the Treasurer of Mobile County for expenditure by him for such books, reports and periodicals, indicating on the warrants the funds against which the warrants are drawn.

Section 10: Funds for expert witnesses, legal exhibits, photographs, drawings and documents in connection with preparation and trial of criminal cases in which the Public Defender has been appointed may be budgeted and authorized by the Commission in an amount not exceeding the sum of THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) per annum. When any such funds for said purposes when deemed necessary are authorized, the same may be expended by the Public Defender provided that, he shall submit a written report and accounting of such expenditures, supported by appropriate vouchers, not less frequently than quarter-annually to the said Commission.

The Public Defender shall draw warrants on the Treasurer of Mobile County for said expenditure by him indicating on the warrants the funds against which the warrants are drawn.

Section 11: In order to provide a special fund for the maintenance of said Public Defender office, there shall be taxed as costs the sum of FIVE DOLLARS (\$5.00) in each Civil or Quasi-Civil Action at Law, Suit in Equity, Criminal Case, Quasi-Criminal Case, proceeding on a Forfeited Bail Bond or proceeding on a Forfeited Bond hereafter given in connection with an appeal from a judgment or conviction of any Inferior or Municipal Court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari or otherwise to the Circuit Court of Mobile County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as the case may be, and when collected shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 12: There shall also be taxed as costs the sum of ONE DOLLAR (\$1.00) in each Criminal and Civil Case hereafter filed in the Court of General Sessions, which costs shall be collected as other costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 13: There shall also be taxed as costs the sum of FIFTY CENTS (\$.50) in each Civil Case hereafter filed in the Inferior Civil Court of Mobile County, Alabama, which costs shall be collected as other costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 14: There shall also be taxed as costs the sum of ONE DOLLAR (\$1.00) in each Criminal Case, Quasi Criminal Case, and Civil Case, hereafter filed in all Municipal Courts in Mobile County, Alabama, with the exception of all cases involving parking violations, which costs shall be collected as other costs in such cases are collected and when collected by the Clerk of said Court shall be paid by him to the Treasurer of Mobile County, Alabama.

Section 15: The sums herein provided to be paid to the Treasurer of Mobile County, Alabama, shall be kept by him in a separate fund designated as "Public Defender Fund" and shall be expended for the maintenance and operation of the Public Defender Office. The Public Defender shall draw warrants on the Treasurer for expenditures by him indicating on the warrants the funds against which the warrants are drawn. Said fund shall be used to pay such salaries, office expenses, law books, expert witness fees, legal exhibits, and investigation assistance, as may be budgeted and approved by the Public Defender Commission.

Section 16: At the end of each four (4) years after this Act is approved, the Public Defender Commission shall ascertain the total of the funds on hand in the Public Defender Fund as maintained by the Treasurer of Mobile County and shall cause warrants to be drawn thereon for ninety per cent (90%) thereof payable to the General Fund of Mobile County or each Municipal Body in proportion to the revenue received from each.

Section 17: If any sentence, clause, provision or section of this Act be declared to be invalid the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portions hereof.

Section 18: This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Register 7/5, 12, 19, 26, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 26th day of July 1969.

W. F. EGAN,
Notary Public.

By Messrs. Hobbie, Harris, McElhaney, Springer and Cameron:

H. 1404. To amend Section 1 of Act Number 432, House Bill 937, Regular Session, 1961 Legislature of Alabama, as amended by Act Number 28, Senate Bill 101, Special Session, 1966, Legislature of Alabama; an act to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census.

Local Legislation No. 4.

By Mr. Springer:

H. 1405. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Local Legislation No. 4.

By Mr. McElhaney:

H. 1406. To amend Section 606, Title 51, Code of Alabama, 1940, relating to privilege licenses.

State Administration.

By Messrs. Higginbotham, Brassell and Turnham:

H. 1407. Relating to counties having populations of not less than 49,500 nor more than 50,500; providing further for law enforcement in such counties; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; and providing for the use of such fund.

Local Legislation No. 1.

By Mr. Brassell:

H. 1408. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in certain courts of Russell County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Holladay (with notice and proof):

H. 1409. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 1409:

LEGAL NOTICE

The following bill or act substantially as follows will be introduced at the next special or regular session of the Legislature of the State of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, are hereby altered, re-arranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

All of Section 31, Township 16, Range 4 East, except the West Half of the Southwest quarter; all that part of Section 30 lying South of the South right of way line of Interstate I-20; and all that part of Section 29 lying South of South right of way line of Interstate I-20 and West of Cropwell-Greensport public road (also known as Spanish Gardens road); and all that part of Section 32 lying West of Cropwell-Greensport public road, all in Township 16, Range 4 East. ALSO, Section 6, less and except the West Half of the West Half thereof; Section 7, less and except the West Half of the West Half thereof; all that part of Section 5, except that portion lying East of Seddon Creek; and Section 4, less and except that portion lying below the 466 foot contour elevation line forming shore line of Logan Martin Lake, all in Township 17, Range 4 East.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR.

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/10, 7/17, 7/24, and 7/31, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me this 5th day of August, 1969.

SARA S. BELL,
Notary Public.

By Mr. Holladay:

H. 1410. Relating to the Thirtieth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit, and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Judiciary.

By Messrs. Holladay and Lemley:

H. 1411. To amend Sections 122, 123 and repeal Section 124, Title 17, Code of Alabama, 1940, as amended, so as to select election officials for holding all elections throughout the state of Alabama.

Judiciary.

By Messrs. Pruitt, Manley and Pennington:

H. 1412. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

Judiciary.

By Messrs. Bank and Culver:

H. 1413. Proposing an amendment to the Constitution of 1901 relative to the power to levy ad valorem or property taxes.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Shumate and Dobbs:

H. 1414. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

Local Legislation No. 1.

By Messrs. House, Money, Holman, Sessions, Cherner, Gloor, Cook (Jefferson), Dill, Jackson (T), Waggoner, Adwell, Meeks, Yeilding, Weeks, Kilgore, Watkins and Ellis:

H. 1415. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the Supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such Supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; to provide that this Act shall become effective on the first day of October, 1970.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), House, Dill, Yeilding, Cherner, Money, Gloor, Watkins, Waggoner, Holman and Weeks (with notice and proof):

H. 1416. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Local Legislation No. 2.

Notice and Proof H. 1416:

AN ACT

To amend further Act No. 421, H. 932, Regular Session, 1957 (Act 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 421, H. 932, Regular Session, 1957 (Acts 1957 p. 587), as amended, an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, is hereby further amended to read as follows:

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of Fourteen Thousand Five Hundred Dollars (\$14,500.00), to be paid out of the County Treasury as the salaries of other county employees are paid."

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me

first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 19, 26, May 3, 10, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 12th day of May, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Dill, Meeks, Money, Jackson (T), Ellis, Waggoner, Watkins, Weeks, Adwell, Cook (Jefferson), Sessions and Yeilding (with notice and proof):

H. 1417. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Local Legislation No. 2.

Notice and Proof H. 1417:

NOTICE

There will be introduced at the Alabama Legislature the following bill to become a Local Act:

A BILL TO BE ENTITLED AN ACT AN ACT

To establish an Inferior Court in Precincts 1 and 2 and all other precincts lying within or partly within the Bessemer Division of Jefferson County, Alabama, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the

officers of said Court and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Feb. 21, 28, March 7, 14, 1969.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 1st day of August, 1969.

JOHN E. SMITH,
Notary Public.

By Mr. Hain (with notice and proof):

H. 1418. To regulate further the qualifications and election of members of the board of education of Dallas County.

Local Legislation No. 1.

Notice and Proof H. 1418:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the qualifications and election of members of the board of education of Dallas County.

Be It Enacted by the Legislature of Alabama:

Section 1. The positions on the board of education of Dallas County shall each be designated by number, one being place number one and the other places number two, three, four and five, respectively. The five members of the board of education of Dallas County shall be nominated and elected to such designated places as follows:

A member for place number four and a member for place number five shall be elected at the general election in 1970 and every six years

thereafter. A member for place number three shall be elected at the general election in 1972 and every six years thereafter. A member for place number one and a member for place number two shall be elected at the general election in 1974 and every six years thereafter.

The member elected for place number five, at the time of his election and so long as he holds such office shall be a legal resident and a qualified elector of that part of Dallas County which lies outside the city limits of the City of Selma, north of the Alabama River and east of Alabama highway number 14, leading from Selma to Marion. The member elected for place number four, at the time of his election and so long as he holds such office, shall be a legal resident and qualified elector of that part of Dallas County lying outside of the city limits of the City of Selma and south of the Alabama River. The member elected for place number three, at the time of his election and so long as he holds such office shall be a legal resident and qualified elector of that part of Dallas County lying outside the city limits of the City of Selma and north of the Alabama River and west of said Alabama highway number 14. The member elected for place number two, at the time of his election and so long as he holds such office shall be a legal resident and qualified elector of the City of Selma. The member elected for place number one shall be a legal resident and qualified elector of Dallas County, and may reside anywhere in the county when elected and so long as he holds such office.

All five members of the board of education shall be nominated and elected by the qualified electors of Dallas County at large.

Section 2. Except as hereinabove provided the election, qualifications, and terms of office of members of the board of education of Dallas County shall be governed by the general law relative to county boards of education.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 5, Feb. 12, Feb. 19, and Feb. 26, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 27th. day of February, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Hain and Blanton:

H. 1419. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Local Legislation No. 1.

By Messrs. Blanton and Hain (with notice and proof):

H. 1420. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Local Legislation No. 1.

Notice and Proof H. 1420:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

Notice is hereby given that a bil substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Fourth Judicial Circuit, providing for a supplemental salary to be paid from Dallas County funds to any associate circuit judge residing in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county revenues of Dallas County, or other like governing body of said county, is hereby authorized, empowered and directed to supplement the salary paid by the State of Alabama to any associate judge of the Fourth Judicial Circuit residing in Dallas County, in such an amount as to make the total salary of such judge eighteen thousand dollars (\$18,000) per annum. Such supplement shall be paid in equal monthly installments out of the general fund of the county in the same manner as other county officers are paid. The supplemental salary herein provided for shall become effective at the expiration of the term of the incumbent judge.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, June 9, and June 16, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 18th. day of July, 1969.

JOSEPHINE K. TIPTON,
Notary.

By Mr. Blanton:

H. 1421. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

Judiciary.

By Mr. Bolton:

H. 1422. To validate, in certain cases, acts of municipal corporations with populations of not more than 6,000 exercising zoning jurisdiction over territory within a mile and one-half of its corporate limits and not located within any other municipality and invalid because of any irregularity in the procedures taken to exercise such zoning powers; and the defining of zoning jurisdictional limits of such municipal corporations, and for other purposes.

Judiciary.

By Mr. Downing:

H. 1423. To amend Section 3 of Act No. 584, H. B. 795, Regular Session, 1963, Acts 1963, (P. 1278 et seq), an act relating to the establishment and operation of Regional Planning Commissions in the State of Alabama.

Local Government.

By Mr. Lyons:

H. 1424. To create one additional circuit court judgeship for any judicial circuit composed of a single county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, responsibilities, qualifications and compensation of such judge; to abolish the office of judge of the juvenile court of any county coming within the influence of this Act, but not the juvenile court of such county; to change the name of such juvenile court to the juvenile division of the circuit court of the circuit composed of the county in which such juvenile court exists; and to provide that such additional judge shall be ex officio judge of the juvenile court in addition to performing his other duties and responsibilities.

Local Legislation No. 3.

By Messrs. Beck and Meade:

H. 1425. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; and authorizing the county governing body of such counties

to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and providing that the substance of the resolution or ordinance levying such tax shall be as prescribed in this act.

Local Legislation No. 1.

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Money, Weeks, Watkins, Gloor, House, Meeks, Waggoner, Bowers and Adwell:

H. 1426. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Local Legislation No. 2.

By Mr. Pennington:

H. 1427. To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Ways and Means.

By Messrs. Beck and Meade:

H. 1428. Relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Local Legislation No. 1.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Crane, unanimous consent was granted that the Journal of the House show had he been present on the twenty-sixth legislative day he would have voted Nay on the bill, H. 342.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Ellis, Kilgore, Burgess, Weeks, Pennington, Grainger, Doss, Slate, Shumate, Cook (Jefferson), Yeilding, Gafford, Meeks, Dill, House, Sessions, Waggoner, Holman, Grayson, Bank, Beck, Drake, Hain, Blanton, Bolton, Pearson, Smith, Snell, Harper, Brassell, Agee, McCorquodale, Cook (Coffee), Collins (C), Downing, Nettles, Lyons, Melton, Harris, Perloff, Hardin, Bassett, Mays, Owen (Baldwin), Brannan, Jackson (F), Foshee, Owens (W), Stembridge, Paulk, Young, Collier, Springer, Headley, Fine, Neville, Robertson, Culver, Collins (W), Cameron and Tuck:

H. R. 113. WHEREAS in this year of the celebration of the sesquicentennial anniversary of the admission of Alabama to the union, thousands of visitors will tour the capitol, and

WHEREAS the nation has recently concluded the celebration of the centennial anniversary of the War Between the States, and Alabama's gallant role in this war is fresh in the minds of many of our visitors, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Clerk of the House of Representatives be instructed and authorized to purchase a United States flag, an Alabama State flag, a Confederate flag and a centennial flag all the same size, of the standard size of three feet by five feet, to be placed in the House of Representatives in such places and in such manner as to attract the attention of all visitors to the chamber where the laws of our state are made.

On motion of Mr. Ellis, the rules were suspended and H. R. 113 was adopted.

Also:

By Messrs. Higginbotham, Turnham, Brassell, Neville, Edington, Lyons, Collins (C) and Downing:

H. J. R. 114. WHEREAS Honorable Joe Alex Killian, a native of this state and a graduate of Auburn University, died recently in Baltimore, Maryland, at the age of forty-six; and

WHEREAS Mr. Killian served the Alabama State Docks Department for twelve years in the field of advertising and public relations and gave to his native state the benefit of many years experience in the field of foreign trade and international relations; and

WHEREAS the citizens of this state bemoan the untimely death of one of our native sons, a former state employee of great ability and wish that a fitting memorial be established in his memory; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Exhibit Room on the first floor of the International Trade Center at the Alabama State Docks in Mobile be named and designated the Joe A. Killian Room.

BE IT FURTHER RESOLVED, That the Director of the Alabama State Docks Department be and he hereby is directed to purchase from the funds of the State Docks Department a suitable bronze marker so designating said room as the "Joe A. Killian Room."

On motion of Mr. Higginbotham, the rules were suspended and H. J. R. 114 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 775. To make an appropriation for the payment of expenses of the Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 775. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Also:

H. 423. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

By Mr. Bassett et al:

H. 765. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

Also:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Also:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

H. 226. To fix the salary of the Attorney General.

Also:

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Also:

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

Also:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Also:

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

Also:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Also:

H. 824. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile,

amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 78, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

Be It Enacted by the Legislature of Alabama:

SECTION I

This Act shall be known and may be cited as the "Alabama Surface Mining Act of 1969."

SECTION II

GENERAL INTENT AND PURPOSE

The objective of this Act is to provide for the safe and reasonable reclamation of lands upon which surface disturbances will be created by certain types of surface mining so as to protect the taxable value of property and preserve natural resources within the state and to pro-

tect and promote the health and safety of the people of this state, consistent with the protection of physical property and with maximum employment and the economic and industrial well-being of the state.

SECTION III

DEFINITIONS

Unless clearly indicated otherwise by the context, the following terms when used in this Act, for the purpose of this Act, shall have the meanings respectively ascribed to them in this section:

A. Affected Land means the area of land from which overburden has been removed or upon which overburden has been deposited, after the effective date of this Act.

B. Contiguous means in actual contact, touching, as contrasted with being near but not in contact.

C. Department means the Department of Industrial Relations of the State of Alabama or such department, bureau, or commission as may lawfully succeed to the powers and duties of such Department relating to mining operations.

D. Direct Seeding means the seeding of seeds by hand sowing, machine sowing, or aero-seeding.

E. Director means Director of the Department of Industrial Relations of the State of Alabama or such officer, bureau, or commission as may lawfully succeed to the powers and duties of such Director.

F. Inspector means any authorized employee of the Department of Industrial Relations of the State of Alabama under the direction of the Director.

G. Operator means any person, firm, partnership, association, or corporation engaged in or controlling one or more surface mining operations.

H. Overburden means all of the earth and other materials which lie above natural deposits of coal, clay, sand, gravel, ores, and other minerals except limestone, marble, and dolomite, and also means such earth and other materials disturbed from their natural state in the process of surface mining.

I. Peak means a projected point of overburden created in the process of surface mining.

J. Permit Period means a one-year period commencing on the issuance of a permit to engage in surface mining.

K. Person means any natural person, firm, corporation, association, partnership, joint venture, or representative of any kind, or any other group acting as a unit, and the plural as well as the single number.

L. Pit means a tract of land from which overburden has been or is being removed for the purpose of surface mining.

M. Reclamation means the reconditioning or rehabilitation of affected land in accordance with the requirements of this Act.

N. Refuse means all waste material, exclusive of overburden, directly connected with the mining, cleaning, or preparation of substances mined by surface mining.

O. Ridge means a lengthened elevation of overburden created in the process of surface mining.

P. Surface Mining means the mining of coal, clay, sand, gravel, ores, and other minerals except limestone, marble, and dolomite, by removing the overburden lying above natural deposits thereof and mining directly from the natural deposits thereby exposed or by mining directly from deposits lying exposed in their natural state.

SECTION IV

NECESSITY OF A PERMIT

No operator shall engage in any surface mining, as defined in this Act, after the effective date of this act without a valid permit from the Department to engage in such surface mining. A separate permit shall be required for each such surface mining operation that is not contiguous to a surface mining operation for which the operator has a valid permit.

SECTION V

APPLICATION FOR AND RECEIPT OF PERMIT

Any operator desiring a permit shall file an application with the Department upon a form furnished by the Department, which form shall contain:

A. A brief description of the tract or tracts of land and the estimated number of acres thereof to be affected by the applicant's surface mining thereon during the permit period. The description shall include the section, township, range, and county in which the land is located and shall otherwise describe the land with sufficient clarity so that it may be located and distinguished from other lands. The description shall also include a description of access to the area from the nearest public highway.

B. A statement by the applicant that applicant has the right and power by legal estate owned to mine by surface mining the land so described. Such statement shall set forth by reference the source of applicant's right and power to so mine.

C. A statement as to whether the applicant or any person, partnership, or corporation associated with the applicant holds or has held any other permits under this Act, and an identification of such permits.

D. The post office address of the applicant.

E. A statement by the applicant of the manner in which the applicant intends to conduct reclamation of the affected land.

Such application shall be accompanied by a bond or security meeting the requirements of Section IX of this Act and a filing fee of Two Hundred Fifty Dollars (\$250). Upon receipt by the Department of such application, bond, or security, and fee due from the operator, the Department shall issue a permit to the applicant which shall entitle the applicant to immediately engage in surface mining on the land described in the application for a period of one year from the date of issuance of said permit.

SECTION VI

AMENDMENT OF PERMIT

A. An operator desiring to amend a permit issued to him to include additional land may file an amended application with the Department. Upon receipt of the amended application, such increase in the bond or surety as may be required under the provisions of this Act, and pay-

ment of a fifty-dollar (\$50) fee, the Department shall issue an amendment to the original permit covering the additional land described in the amended application for the period of time remaining in the original permit.

B. An operator desiring to amend a permit issued to him to withdraw land covered by such permit may file an amended application with the Department. Upon receipt of the amended application and upon verification by inspection that the land to be withdrawn is not affected land resulting from surface mining of applicant, the Department shall proportionately reduce the penalty of the bond or the security filed by the applicant pursuant to the provisions of this Act and shall issue an amended permit covering such land as has not been withdrawn.

SECTION VII

DUTIES OF OPERATOR

A. Every operator to whom a permit is issued pursuant to the provisions of this Act and who engages in surface mining on lands described in such permit shall:

1. Submit to the Department no later than ninety (90) days after expiration of the permit period a map or aerial photograph showing the location of the surface mining operation conducted during the permit period by section, township, range, and county, with such other description as will identify the land upon which the operator has conducted surface mining during such permit period and with a legend upon such map or aerial photograph showing the number of acres of affected land and the reclamation to be made in accordance with this section.
2. Carry on grading of affected land to reduce peaks and ridges to a rolling topography by working any ridges of removed overburden by grading the same to a width of at least ten (10) feet at the top and working peaks created by the operator's surface mining operation by grading the same at the top to a minimum of fifteen (15) feet in width.
3. Cover the face of any toxic material left exposed by operator's surface mining operation in the bottom of the pit with overburden material to a distance of at least two (2) feet above the deposits being surface mined, or by a permanent water impoundment.
4. Divert water from the mining operation in a manner designed to reduce siltation, erosion, or other damage to streams and natural water courses.

B. In addition to the requirements set forth in Subsection A of this section, the operator shall, as a minimum, plant tree-planting stock on or direct-seed the affected land with seed or seedling of native commercial species. Where the operator elects to plant tree-planting stock on all or a portion of the affected land, the planting shall be carried out based on a spacing of ten (10) feet, approximately 435 trees per acre; and planting methods shall be governed by good planting practices. Where the operator elects to direct-seed all or a portion of the affected land, the direct-seeding shall be so conducted as to result in establishment, one year after the sowing, of between 400 and 450 tree seedlings per acre. In the event direct-seeding does not result in establishment within one year of between 400 and 450 tree seedlings per acre, the operator shall thereupon conduct such additional seeding or planting as is necessary to result in establishment of 400 to 450 tree seedlings per acre. All seeds to be sown by direct-seeding shall be treated with bird and rodent repellent. No operator shall be required, however, to:

1. Make planting, seeding, or in any other way revegetate affected land used by the operator for the deposit or disposal of refuse or within depressed haulage roads or final cuts or other areas where pools or lakes may be formed by rainfall, drainage runoff, or otherwise.
2. Make planting, seeding, or in any other way revegetate affected land so long as the chemical and physical characteristics of the soil of such affected land are toxic, deficient in plant nutrients, composed of sand, gravel, shale, or stone, to such extent as to seriously inhibit plant growth. Where natural weathering and leaching of any such affected land over a period of ten (10) years from expiration of the permit period fail to remove the toxic and physical characteristics inhibiting to plant growth, or at any time after three (3) years from the expiration of the permit period the Department determines that any of such affected land is and during the remainder of said ten (10) year period will be unplantable, the operator shall be relieved of all obligations under the provisions of this Act with respect to such affected lands.
3. Make planting or seeding until sufficient planting stock or seeds of desired tree species are available from the State or elsewhere.

C. An operator with the legal title or right may construct dams of earth or other materials in cuts of all operations where lakes may be formed, and cause lakes to be formed, provided that the formation of said lakes will not interfere with underground or other mining operations or cause damage to adjoining property.

D. On all affected land which is to be reforested, the operator shall construct fire lanes or access roads, which fire lanes or access roads shall be not less than twelve (12) feet in width and not more than one-fourth ($\frac{1}{4}$) section apart at their nearest point. Where such fire lanes and access roads are adjacent to public roads or highways, said fire lanes and access roads shall be constructed so as to be just inside the boundary of such reforested area.

E. In substitution for the grading and revegetation requirements set forth in Subsections A and B of this section, the operator may elect to reclaim the land for range, agricultural or horticultural, homesite, recreational, industrial, or commercial use; but no such election shall result in grading to a lesser extent than set forth in Subsection A of this section. The revegetation or other requirements applicable to such range, agricultural or horticultural, homesite, recreational, industrial, or commercial use shall be in accordance with rules or regulations prescribed by the Department.

F. With the approval of the Department, the operator may substitute for all or any part of the affected land to be reclaimed an equal number of acres of land previously mined and not reclaimed. If any area is so substituted, the operator shall submit a map or aerial photograph of the substituted area, which map or aerial photograph shall conform to all the requirements with respect to other maps or aerial photographs required to be submitted under this section. The operator shall be relieved of all obligations under this Act with respect to the land for which substitution has been permitted and shall reclaim the substituted land.

G. The operator shall complete the reclamation of all affected land within three (3) years from the date of expiration of the permit period, except as Subsection B-2 of this section may permit an additional period within which to complete reclamation.

SECTION VIII

ENTRY UPON LANDS FOR INSPECTION

Inspectors of the Department may enter upon the lands of the landowner at any reasonable time for the purpose of inspection to determine whether the provisions of this Act have been complied with.

SECTION IX

BOND OF OPERATOR, AMOUNT, SUFFICIENCY OF SURETY, CUSTODY, SUBSTITUTIONS, RELEASE OR REDUCTION ON NOTICE OF COMPLETION OF RECLAMATION, INSPECTION TO BE BY REGISTERED FORESTER, CANCELLATION BY SURETY WITH SUSPENSION OF OPERATOR'S PERMIT

A. Any bond herein provided to be filed with the Department by the operator shall be in such form as the Director prescribes, payable to the State of Alabama and conditioned that the operator shall faithfully perform all applicable requirements of this Act and comply with all applicable rules of the Department made in accordance with the provisions of this Act. Such bond shall be signed by the operator, as principal, and by a good and sufficient corporate surety licensed to do business in the State of Alabama, as surety. The penalty of such bond shall be One Hundred Fifty Dollars (\$150) for each acre covered by the permit. In lieu of such bond, the operator may elect to deposit cash or negotiable bonds of the United States Government or the State of Alabama, or any municipality within the State, with the Department in lieu of a corporate surety. The cash deposit or market value of such securities shall be equal at least to the sum of the bond. The Department shall, upon receipt of any such deposit of cash or securities, immediately place the same with the State Treasurer, whose duty it shall be to receive and hold the same in the name of the State, in trust, for the purposes for which such deposit is made. The State Treasurer shall at all times be responsible for the custody and safekeeping of such deposits. The operator making the deposit shall be entitled from time to time to demand and receive from the State Treasurer, on the written order of the Director, the whole or any portion of any securities so deposited, upon depositing with him in lieu thereof other negotiable securities of the classes herein specified having a market value at least equal to the sum of said cash deposits or securities, deposited as aforesaid, mature or are called, the State Treasurer, at the request of the operator, shall convert such securities into such other negotiable securities of the classes herein specified as may be designated by the operator. The total penalty of the bond or amount of cash and securities shall be increased or reduced from time to time as land is added to or withdrawn from the permit as provided in this Act.

B. Whenever an operator shall have completed all applicable requirements under the provisions of this Act as to any affected land, he shall notify the Department thereof. The Department shall within thirty (30) days after notification by the operator inspect the affected land completed by the operator and, if the land has been reclaimed as required by this Act, shall release the operator from further obligations regarding such affected land and reduce or release the bond or substituted cash or securities of the operator. Inspections by the Department under this Subsection 9 B shall include inspection by a registered forester.

C. A bond filed as above prescribed shall be conditioned so that it cannot be cancelled by the surety except after not less than ninety (90) days' written notice to the Department. If a bond is cancelled after such notice, the operator shall, on or before the effective date of such cancellation, substitute for such bond another bond or cash or securities as provided herein.

D. If the license to do business in the State of any surety upon a bond filed with the Department pursuant to this Act shall be suspended or revoked, the operator, within thirty (30) days after receiving written notice thereof from the Department, shall substitute for such surety a good and sufficient corporate surety licensed to do business in the State of Alabama, or another bond, or cash or securities in lieu thereof as provided hereinabove.

E. The failure of the operator to make substitution of surety as provided in Subsections C and D next above shall result in the automatic suspension of the permit of the operator to conduct mining operations on the land described in such permit, and the operator shall not conduct further or additional mining operations on the land described in such permit until substitution as provided hereinabove has been made on the surety.

SECTION X

VIOLATIONS, ADMINISTRATIVE PROCEDURES, AND APPEALS FROM ORDERS OF THE DIRECTOR

A. Whenever the Director determines that any operator has not complied with the provisions of this Act and is therefore in violation of this Act, the Director may cause to have issued and served upon the person alleged to be committing such violation a written notice which shall specify the provision of this Act which such operator allegedly is violating, and a statement of the manner in, and the extent to which said operator is alleged to violate this Act, and shall require the person so complained against to answer the charges of such formal complaint at a hearing before the Director at a time not less than thirty (30) days after the date of notice. The Director shall issue subpoenas at the instance of the Department and at the request of the charged operator, requiring the attendance of witnesses and the production of such papers and documents as are relevant to such hearing. The charged operator may appear in person or by representative counsel at such hearing; testimony shall be taken under oath and recorded stenographically at such hearing; and the charged operator may cross-examine witnesses at such hearing. A copy of the record of such hearing shall be furnished to the charged operator upon payment of the cost of such copy. The Director shall enter such order as he deems appropriate to effectuate the purposes of this Act and forthwith mail a copy thereof to the charged operator or its attorney of record. If such order of the Director is not complied with in the required time, the Director may then commence proceedings under Section XI of this Act.

B. Any operator subjected to any order of the Director may institute proceedings to have the order reviewed in the Circuit Court, sitting in equity, of the judicial circuit in which the operator has his principal place of business in Alabama, or of the judicial circuit where the property affected by the order is located, provided that such proceeding is filed in said court within thirty (30) days following the date of such order. The Director shall be made a party to the court proceeding; and service shall be made upon the Director, whose domicile for the purpose of service shall be deemed to be the office of the Director in Montgomery, Alabama. The cause shall be tried de novo as an original hearing on the equity side of said Circuit Court and shall be a preference case on the docket thereof. The Court shall have jurisdiction to determine the reasonableness and lawfulness of the order of the Director. Upon a finding by the Court that the order is not reasonable or lawful, the cause shall be remanded to the Director for further proceedings in accordance with the provisions of this Act. The parties shall have all rights of exception and appeal as in other equity cases. On any appeal of an order of the Director, the operator may, upon application to the Court,

supersede any decree rendered on giving such supersedeas bond in the amount the Court deems proper and necessary to avoid the likelihood of material damage. Such a bond shall be made payable to the State of Alabama. If a supersedeas bond has been given on appeal to the Circuit Court as hereinabove provided for, such bond shall continue in force and effect during an appeal to the Supreme Court and until final adjudication of the cause, and all the conditions of such bond shall be complied with, and no other supersedeas bond need be given by the operator unless the court hearing the cause shall determine that the amount of such supersedeas bond is either excessive or inadequate, in which case the court may order such supersedeas reduced or increased as the court may decide.

SECTION XI

VIOLATIONS, LEGAL REMEDIES, ENFORCEMENT PROCEEDINGS, AND PENALTIES

A. Should the Director determine that any final order or determination made by him, not then the subject of judicial review, is being violated by any operator, then the Director may cause to have instituted a civil action in any court of competent jurisdiction to forfeit the bond of the operator as to land affected by the operator's violation of this Act or for injunctive or other appropriate relief to prevent any further or continued violation of such final order or determination.

B. Any person required by this Act to have a permit who engages in surface mining without a valid permit to do so as prescribed by this Act shall be deemed guilty of a violation of this Act and, upon complaint made by the Director in a court of competent jurisdiction and conviction thereof, shall be fined not less than Five Hundred Dollars (\$500) nor more than Five Thousand Dollars (\$5,000) and shall be required to post a bond or surety as provided in Section VII of this Act and to reclaim the affected land, resulting from the operator's surface mining without a permit in accordance with the requirements of Section VII of this Act.

C. Any person who willfully misrepresents any fact or willfully gives false information in any application or report under this Act shall be fined not less than One Hundred Dollars (\$100) nor more than Five Hundred (\$500) for each offense.

D. The parties shall have all rights of exception and appeal.

SECTION XII

FUNDS, RECLAMATION ON FORFEITURES, RECLAMATION ON CONTRACTS, FACILITIES AND PERSONNEL

A. All fees and penalties collected under the provisions of this Act shall be deposited in the general revenue fund of the State Treasury.

B. All funds received from the forfeiture of bonds, sureties, cash, or governmental securities shall be placed in the State Treasury and credited to a special agency account hereby created and designated as the Surface Mining Reclamation Fund. The Department shall, for each bond, surety, or deposit of cash or securities forfeited, utilize the proceeds of such forfeiture for the reclamation of the affected land to which the forfeiture relates; however, as funds in the strip mine reclamation fund are available and adequate therefor, the director may establish and carry out a systematic schedule for the reclamation and revegetation

of lands which have been affected by strip mining operations but with respect to which there is no obligation on any person under the provisions of this Act to reclaim or revegetate. The Department may cause the reclamation work to be done by employees of other governmental agencies or through contracts with qualified vendors. The Department and any contractor under a contract with the Department shall have the right of access to the land affected to carry out such reclamation.

C. The Department is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act.

SECTION XIII

ADMINISTRATION

Any act authorized to be done by the Director of the Department of Industrial Relations of the State of Alabama, may be performed by the Inspector, Assistant Inspector, or any employee of the Department when designated by the Director. The Superintendent may adopt and promulgate reasonable rules and regulations respecting the administration of this act and in conformity therewith.

SECTION XIV

APPROPRIATIONS

There is hereby appropriated to the Department out of the general fund in the State Treasury not otherwise appropriated the sum of \$22,300 for the fiscal year beginning October 1, 1969, and ending September 30, 1970, and the sum of \$22,000 for the fiscal year beginning October 1, 1970, and ending September 30, 1971, to be used for carrying out the purposes of this Act. There is hereby appropriated to the Department all funds appropriated or made available to said Department by the Congress or the federal government for the purpose of carrying out this Act.

SECTION XV

APPLICABILITY

The provisions of this Act shall not apply to surface mining activities of the State Highway Department, or city, county or municipality, incident to their activities in constructing, repairing, and maintaining the public road system in Alabama. The provisions of this section shall also extend to any person, firm, or corporation contracting with the State Highway Department, city, county or municipality, to construct, repair, and maintain public roads, provided such contracts contain standards for the reclamation of all affected surface mining areas, and provided further that such standards have been approved by the Department.

SECTION XVI

REPEAL

It is intended that this Act shall supplement existing law regarding the inspection or regulation of mining, water pollution, and water impoundment and that only provisions of such law which directly conflict with or are inconsistent with this Act are hereby repealed to the extent of such conflict or inconsistency.

SECTION XVII

SEVERABILITY

The provisions of this Act are severable; and if any part, section, subsection, clause, paragraph or phrase of this Act shall be adjudged to be invalid or unconstitutional by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the part, section, subsection, clause, paragraph or phrase of this Act that shall be directly involved in the controversy in which such judgment shall have been rendered.

SECTION XVIII

EFFECTIVE DATE

This Act shall become effective on Oct. 1, 1970.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Culver	Hill	Paulk
Adwell	Dill	Holladay	Pennington
Agee	Doss	Jones	Pruitt
Bassett	Downing	Laxson	Sessions
Beck	Edington	Lybrand	Shumate
Berryman (W)	Fine	Lyons	Slate
Bolton	Foshee	Malone	Smith
Bowers	Gafford	Manley	Snell
Brannan	Gloor	Marr	Steagall
Brassell	Graham	Mays	Stembridge
Brown	Grainger	McCorquodale	Stubbs
Cherner	Grayson	Meade	Tuck
Collier	Hain	Melton	Waggoner
Collins (C)	Hardin	Nettles	Weeks
Collins (W)	Harper	Neville	Williams
Cook (Jefferson)	Haygood	Owen (Baldwin)	Wright
Crawford	Higginbotham	Owens (W.E.)	Young

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REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 111. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Marr, the House concurred in and adopted the Senate substitute for the bill, H. 111, and the Senate amendment to the substitute, said Senate substitute and amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms; to provide that it shall be unlawful to exhibit to minors certain prohibited practices; to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgment; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of a minor for the purpose of gaining such minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. As used in this Act:

(a) "Minor" means any unmarried person under the age of eighteen years.

(b) "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

(c) "Sexual conduct" means the act of masturbation, homosexuality, sodomy, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such a person be female, breast.

(d) "Sexual excitement" means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

(e) "Sado-masochistic abuse" means the flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(f) "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, of sado-masochistic abuse, when it:

(i) predominantly appeals to the prurient, shameful or morbid interest of minors, and

(ii) is patently offensive to a prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and

(iii) is utterly without redeeming social importance for minors.

(g) "Knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief which warrants further inspection or inquiry or both:

(i) the character and content of any material described herein, which is reasonably susceptible of examination by the defendant, and

(ii) the age of the minor, provided however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

Section 2. It shall be unlawful for any person knowingly to sell, deliver, distribute, display for sale or provide to a minor, or knowingly to possess with intent to sell, deliver, distribute, display for sale or provide to a minor:

(a) Any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body, or any replica, article or device having the appearance of either male or female genitals which depicts nudity, sexual conduct, sexual excitement or sado-masochistic abuse and which is harmful to minors, or

(b) Any book, pamphlet, magazine, printed matter however produced or sound recording which contains any matter enumerated in paragraph (a) hereof, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors.

Section 3. It shall be unlawful for any person knowingly to exhibit to a minor, or knowingly to provide to a minor an admission ticket or pass, or knowingly to admit a minor to premises whereon there is exhibited, a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors.

Section 4. (a) No prosecution may be commenced against any person for violating Sections 2 and 3 of this Act unless the accused is first served with prior written notice that there is reasonable cause to believe the material upon which such prosecution is based violates this Act, and the accused has, after receiving such notice, violated this Act.

(b) The written notice provided for in paragraph (a) of this Section 4 may be given by only the following officials: the State Attorney

General and any Assistant Attorney General; the district attorney, county solicitor, their assistants and deputies, or any person whose office and duty is to prosecute criminal action before any state, county or municipal court; the sheriff; the chief of police of any municipality or town; and the duly authorized law enforcement employees of the Department of Public Safety.

(c) Any person receiving such written notice provided for in paragraph (a) of this Section 4 shall have the right within 30 days from such notice to file an appropriate action for declaratory judgment to determine the validity of such written notice, but no such action shall, by reason of the commencement thereof, stay or in any way delay or postpone any prosecution for the violation of this Act.

Section 5. In prosecutions under this Act where the case is tried before a jury, then in such cases, the jury shall determine, as a matter of fact, whether the material proscribed in Section 2 of this Act and the motion picture, show or other presentation proscribed in Section 3 of this Act violates the provisions of this Act; and the trial court shall not, either before, during or after trial, dismiss a prosecution on the grounds that such material, motion picture, show or other presentation does not violate this Act as a matter of law.

Section 6. No person shall be guilty of violating the provisions of this Act:

(a) Where such person had reasonable cause to believe that the minor involved was 18 years old or more, and such minor exhibited to such person a draft card, drivers license, birth certificate or other official or apparently official document purporting to establish that such minor was 18 years old or more; or

(b) That the person was the parent or guardian of the minor, or that the minor was accompanied by his parent or guardian, or the parent or guardian has in writing waived the application of this Act, either generally or with reference to the particular transaction; or

(c) Where such a person is a bona fide school, museum or public library, or is acting in his capacity as an employee of such organization, or as a retail outlet affiliated with and serving the educational purposes of such organization.

Section 7. (a) It shall be unlawful for any minor to falsely represent to any person referred to in Section 2 or Section 3 of this Act, or to his agent, that such a minor is 18 years of age or older, with the intent to procure any material set forth in Section 2 of this Act, or with the intent to procure such minor's admission to any motion picture or show or other presentation, as set forth in Section 3 of this Act.

(b) It shall be unlawful for any person to knowingly make a false representation to any person referred to in Section 2 or Section 3 of this Act, or to his agent, that he is the parent or guardian of any minor, or that any minor is 18 years of age, with the intent to procure any material set forth in Section 2 of this Act, or with the intent to procure such minor's admission to any motion picture, show or other presentation, as set forth in Section 3 of this Act.

Section 8. (a) Any person convicted of violating Section 2 or Section 3 of this Act is guilty of a misdemeanor and upon conviction shall be imprisoned in the county jail or sentenced to hard labor for the county, for not more than one year, and may be fined not more than \$5,000 for each offense, or may be both imprisoned and fined, in the discretion of the court.

(b) Any person violating the provisions of Section 7 of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as for a misdemeanor.

Section 9. The provisions of this Act are severable. If any section, subsection, sentence, clause, phrase or part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Amend Section 10 of said Substitute for H. B. 111 by striking said Section 10 and insert in lieu thereof the following:

"Section 10. This law is cumulative and shall not be construed to repeal any law or part of any law which may be in conflict with it."

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Laxson	Perloff
Agee	Doss	Lemley	Pruitt
Bank	Downing	Lybrand	Robertson
Bassett	Edington	Lyons	Sessions
Beck	Ellis	Malone	Shumate
Berryman (W)	Fine	Manley	Slate
Blanton	Gafford	Marr	Smith
Bolton	Garrett	Mathews	Snell
Bowers	Graham	Mays	Springer
Brannan	Grainger	McDonald	Starnes
Brassell	Grayson	McElhanev	Steagall
Brown	Hain	Meade	Stubbs
Burgess	Hardin	Melton	Tuck
Collier	Harper	Money	Turnham
Collins (C)	Haygood	Nettles	Waggoner
Collins (W)	Headley	Owen (Baldwin)	Weeks
Cook (Coffee)	Higginbotham	Owens (W.E.)	Williams
Cook (Jefferson)	Hill	Paulk	Wood
Crane	Holladay	Pearson	Wright
Crawford	Jones	Pennington	Young
Culver			

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MOTION TO BRING UP H. 376

On the motion of Mr. Weeks, the rules were suspended and permission granted to bring up the bill, H. 376, out of order.

And the bill:

H. 376. To make appropriations from the general fund in the state treasury to the National Veterans Day Committee for the purpose of assisting in financing the National Veterans Day Programs in Birmingham.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pennington
Agee	Downing	Jones	Perloff
Bank	Edington	Lybrand	Robertson
Bassett	Ellis	Lyons	Sessions
Beck	Fine	Malone	Shumate
Blanton	Foshee	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McDonald	Starnes
Burgess	Grayson	McElhaney	Steagall
Collier	Hain	McLain	Stembridge
Collins (C)	Hardin	Meade	Stubbs
Collins (W)	Harper	Meltor	Tuck
Cook (Coffee)	Haygood	Money	Turnham
Cook (Jefferson)	Headley	Nettles	Waggoner
Crane	Higginbotham	Owen (Baldwin)	Williams
Crawford	Hill	Owens (W.E.)	Wood
Culver	Hobbie	Paulk	Wright
Dill	Holladay	Pearson	Young
Dobbs	Jackson (F)		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the House concurred in and adopted the Senate amendment to the bill, H. 1049, said Senate amendment being as follows:

Amend Section 7 by deleting the words "January and July each year" and substituting the words "October for the six months ending September 30 and in April for the six months ending March 31."

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Cherner
Agee	Berryman (W)	Brassell	Collier
Bank	Blanton	Brown	Collins (C)

Collins (W)	Harper	Mathews	Pruitt
Crane	Haygood	McCorquodale	Robertson
Crawford	Headley	McDonald	Sessions
Culver	Higginbotham	McElhaneay	Shumate
Dill	Hill	Meade	Smith
Dobbs	Hobbie	Melton	Snell
Doss	Holladay	Money	Starnes
Downing	Jackson (F)	Nettles	Steagall
Edington	Jackson (T)	Neville	Stubbs
Ellis	Jones	Owen (Baldwin)	Tuck
Fine	Laxson	Owens (W)	Turnham
Foshee	Lemley	Owens (W.E.)	Waggoner
Garrett	Lybrand	Paulk	Williams
Graham	Lyons	Pearson	Wood
Grainger	Malone	Pennington	Wright
Hain	Manley	Perloff	Young
Hardin	Marr		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Shumate, the House concurred in and adopted the Senate amendment to the bill, H. 352, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Dora are hereby altered, rearranged and extended so as to incorporate within the town the following described territory lying and being in Walker County, Alabama, to-wit:

Beginning at the Northeast corner of the present City Limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama, which is the point of intersection of the south right-of-way line of U. S. Highway # 78 (Bankhead Highway) and the west right-of-way line of the Empire Branch of the Frisco Railroad in the SE¼ of NE¼ Section 9, Township 15 South, Range 5 West, thence run southwesterly along the East boundary of the present City Limits of the Town of Dora as follows: Run southwesterly along the West boundary of the Empire Branch of the Frisco Railroad right-of-way as said railroad meanders through Sections 9, 16, and 17 to the intersection of the West boundary of the SE¼ OF

SE $\frac{1}{4}$, Section 17, all in Township 15 South, Range 5 West, thence run South along said West boundary to the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 15 South, Range 5 West, thence run Southwest a distance of 1867 feet, more or less, to the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 20, Township 15 South, Range 5, thence run West a distance of 660 feet; thence run South a distance of 3960 feet, more or less, to the South boundary of Section 20, Township 15 South, Range 5 West; thence continue South a distance of 660 feet; thence run West a distance of 1980 feet, more or less, to the West boundary of Section 29, Township 15 South, Range 5 West, which is the Southwest corner of the present City Limits of the Town of Dora, Alabama; thence run South along the West line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 29, to the Southwest corner of said NW $\frac{1}{4}$ of said Section 29; thence run East along the South line of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ of said Section 29 to the Southeast corner thereof; thence run North along the East line of the Northeast Quarter of the NW $\frac{1}{4}$ of said Section 29 to the Northeast corner thereof; thence run East along the South line of Section 20, Township 15 South, Range 5 West to the Southeast corner thereof; thence continue East along the South line of Section 21, Township 15 South, Range 5 West, to the Southeast corner of the W $\frac{1}{2}$ of said Section 21; thence North along the East line of said W $\frac{1}{2}$ of Section 21 to the Northeast corner of said W $\frac{1}{2}$ of said Section 21; thence continue North along the East line of the SW $\frac{1}{4}$ of Section 16, Township 15 South, Range 5 West, to the Northeast corner of the SW $\frac{1}{4}$ of said Section 16; thence East along the South line of the SW $\frac{1}{4}$ of said Section 16 to the Southeast corner of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 16; thence North along the East line of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 16 to the Northeast corner of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 16; thence East along the North line of said Section 16 to the Northeast corner of said Section 16; thence North along the East line of Section 9, Township 15 South, Range 5 West, to its intersection with the South right-of-way line of U. S. Highway 78; thence Northwesterly along the South right-of-way line of said Highway to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Ellis	Lybrand	Pearson
Bank	Fine	Lyons	Pennington
Beck	Foshee	Malone	Perloff
Blanton	Garrett	Manley	Robertson
Brannan	Graham	Marr	Sessions
Brassell	Grainger	Mathews	Shumate
Brown	Grayson	Mays	Smith
Burgess	Hain	McCorquodale	Snell
Cherner	Hardin	McDonald	Starnes
Collier	Harper	McElhanev	Steagall
Collins (C)	Haygood	Meade	Stembridge
Collins (W)	Headley	Melton	Stubbs
Cook (Coffee)	Higginbotham	Merrill	Tuck
Crane	Hill	Money	Waggoner
Crawford	Hobbie	Nettles	Weeks
Culver	Jackson (F)	Neville	Wood
Dill	Jackson (T)	Owen (Baldwin)	Wright
Dobbs	Jones	Owens (W)	Young
Downing	Laxson	Owens (W.E.)	

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 310. For the relief of widows of governors of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Springer, the House concurred in and adopted the Senate amendment to the bill, H. 310, said Senate amendment being as follows:

Amend H. B. 310 by deleting in the third line of Section 1, the figures "\$400.00", and insert the figures "\$600.00".

Yeas 63; Nays 14.

Yeas:

Mr. Speaker	Ellis	Lyons	Pruitt
Agee	Fine	Manley	Sessions
Bank	Foshee	Marr	Shumate
Beck	Graham	Mathews	Smith
Berryman (W)	Grayson	Mays	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	Meade	Starnes
Burgess	Harper	Melton	Steagall
Cameron	Headley	Merrill	Stembridge
Collier	Higginbotham	Money	Tuck
Collins (W)	Hobbie	Nettles	Turnham
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Waggoner
Culver	Jones	Owens (W.E.)	Williams
Dobbs	Laxson	Paulk	Wood
Downing	Lemley	Pearson	Young
Edington	Lybrand	Pennington	—63

Nays:

Messrs.:	Gafford	Haygood	McCorquodale
Cherner	Garrett	Hill	Wright
Crawford	Gloor	Jackson (T)	Yeilding
Dill	Grainger	Malone	—14

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

By Messrs. Young and Smith:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agricul-

ture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Young, the House concurred in and adopted the Senate amendment to the bill, H. 706, said Senate amendment being as follows:

Amend House Bill No. 706 by adding the following sentence immediately after the last sentence in Section 18 of said Bill on page 13 thereof:

"Notwithstanding any other provisions of this Act and specifically the provisions of Section 3 (e) relating to "Guaranteed Analysis", the Commissioner with the approval of the Board shall be authorized to require by rules and regulations that the guaranteed analysis of phosphorus and potassium for labeling purposes shall be expressed in the elemental form, but until such rules and regulations are duly promulgated and adopted, the guaranteed analysis shall not be required to be expressed in the elemental form."

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lybrand	Pennington
Agee	Garrett	Lyons	Perloff
Bank	Graham	Manley	Pruitt
Beck	Grainger	Marr	Robertson
Berryman (W)	Grayson	Mathews	Sessions
Brannan	Hain	Mays	Shumate
Brassell	Hardin	McCorquodale	Smith
Cameron	Harper	McElhaney	Snell
Collier	Haygood	Meade	Starnes
Collins (W)	Headley	Melton	Steagall
Cook (Coffee)	Higginbotham	Merrill	Stembridge
Cook (Jefferson)	Hill	Money	Stubbs
Crawford	Hobbie	Nettles	Tuck
Culver	Holladay	Neville	Turnham
Dill	Jackson (F)	Owen (Baldwin)	Waggoner
Dobbs	Jackson (T)	Owens (W)	Williams
Downing	Jones	Owens (W.E.)	Wood
Edington	Laxson	Paulk	Wright
Fine	Lemley	Pearson	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Malone, the House concurred in and adopted the Senate amendment to the bill, H. 929, said Senate amendment being as follows:

In the description of the property, in Section 1 of the bill, strike out the words and figures: Range 5 East, and insert in lieu thereof the words and figures: Range 6 East,

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Fine	Lyons	Pearson
Agee	Foshee	Manley	Pennington
Bank	Garrett	Marr	Perloff
Bassett	Graham	Mathews	Pruitt
Beck	Grayson	Mays	Robertson
Berryman (W)	Hain	McCorquodale	Sessions
Bowers	Hardin	McDonald	Shumate
Brannan	Harper	McElhaney	Smith
Brassell	Harris	McLain	Snell
Cameron	Haygood	Meade	Starnes
Collier	Headley	Melton	Steagall
Collins (W)	Higginbotham	Merrill	Stembridge
Cook (Coffee)	Hill	Money	Stubbs
Cook (Jefferson)	Hobbie	Nettles	Tuck
Crawford	Holladay	Neville	Turnham
Culver	Jackson (F)	Owen (Baldwin)	Waggoner
Dill	Jones	Owens (W)	Williams
Dobbs	Laxson	Owens (W.E.)	Wright
Downing	Lemley	Paulk	Young
Edington	Lybrand		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

By Mr. Cameron et al:

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cameron, the House concurred in and adopted the Senate amendment to the bill, H. 138, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in cities having a population of not less than 100,000 nor more than 150,000, according to the most recent federal decennial census, that the free circulation of traffic of all kinds through the streets of said municipalities within this state is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipalities; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipalities, impedes the rapid and effective fighting of fires and disposition of police force, threatens irreparable loss in the values of urban property within said cities which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this act is hereby declared to be a public necessity. This act shall apply only to such cities.

Section 2. The council or other governing body of all cities within the State of Alabama, having a population of not less than 100,000 nor more than 150,000 according to the most recent federal decennial census, is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, and equip parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purpose of this act; to receive and accept grants for or in aid of the construction, extension improvement, main-

tenance or operation of any parking facility from the United States of America or any agency thereof, from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body of any such city is hereby specifically authorized to and shall lease any said parking facilities constructed under the provisions of this act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provide that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith, (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured.

The council or other governing body of any such city shall not be authorized to operate parking facilities constructed under the provisions of this act unless there is a default in payment of rent which has remained unpaid after ten days written notice of such default. In such an event the lease may be terminated and the city may operate such facility until such time as another suitable tenant can be obtained, and that said city shall diligently seek another suitable tenant, and shall not operate the facility for a longer period than the 12th legislative day of the next ensuing regular session of the Legislature, after default. After the expiration of the effective date of the Court Square Urban Renewal Plan, viz., January 1, 1999, and after the bonds have been retired and/or the indebtedness against the parking facility has been paid in full, the council or other governing body of any such city is hereby authorized and shall sell and convey its interest in said facility upon such terms or conditions as may be adopted by such council or other governing body.

Section 4. The principal of and interest on any bonds issued under this act shall be secured by a pledge of the revenues out of which such bonds may be made payable and may be secured by a mortgage covering all or part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings of mortgage, the terms to be included in the lease of such project, the maintenance and insurance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default to the bond holders or to the trustee under a mortgage, all as the governing body shall deem

advisable and as shall not be in conflict with the provisions of this act; provided, however, that in making any such agreement or provisions a city shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by any such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the appropriate provisions of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. Any such city subject to the provisions of this act may pay out of its general funds or otherwise contribute any part of the

costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project, provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property nor obligate itself to make any contribution of money or property which would cause such bonds to be debts within the meaning of section 225 of the Constitution of the State of Alabama or bonds within the meaning of section 222 of the Constitution of the State of Alabama.

Section 8. Bonds issued under the provisions of this act shall be legal investments for banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this act nor anything herein contained shall be construed as a restriction or limitation upon any powers which a municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this act shall not be construed as requiring an election by the voters of a municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Garrett	Malone	Pearson
Agee	Graham	Manley	Pennington
Bank	Grayson	Marr	Perloff
Bassett	Hain	Mathews	Pruitt
Beck	Hardin	Mays	Robertson
Berryman (W)	Harper	McCorquodale	Sessions
Bowers	Harris	McElhaney	Shumate
Brannan	Haygood	McLain	Smith
Brassell	Headley	Meade	Snell
Cameron	Higginbotham	Meeks	Starnes
Collier	Hill	Melton	Steagall
Collins (W)	Hobbie	Merrill	Stembridge
Crawford	Holladay	Money	Stubbs
Culver	Jackson (F)	Nettles	Tuck
Dill	Jackson (T)	Neville	Turnham
Dobbs	Laxson	Owens (W)	Waggoner
Downing	Lemley	Owens (W.E.)	Williams
Edington	Lybrand	Paulk	Wright
Fine	Lyons		

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. McCorquodale moved that the House concur in and adopt the Senate amendment to the bill, H. 673, said Senate amendment being as follows:

Amend H. B. 673 by deleting therefrom in their entirety Sections 1, 2, 3, 4 and 5 of said bill and inserting in lieu thereof the following and renumbering the succeeding sections accordingly:

Section 1. There is hereby created and established a State Forestry Commission, hereinafter referred to as Commission, which Commission shall be composed of seven (7) members to be appointed by the Governor with the advice and consent of the Senate. Two members shall be appointed for a period of one year, two for a period of two years, two for a period of four years and the remaining member for a period of five years. Upon the expiration of said terms, appointments thereafter shall be for a period of five years and until their respective successors in office have been appointed and qualified. At all times at least two of such members shall be licensed and registered foresters under the laws of Alabama. At all times at least three of such members shall be owners of timberland in Alabama.

SUBSTITUTE MOTION TO NON-CONCUR

Mr. Lyons offered a substitute motion that the House non-concur in the Senate amendment to the bill, H. 673.

MOTION TO TABLE LOST

The motion of Mr. McCorquodale to table the substitute motion of Mr. Lyons to non-concur was lost.

Yeas 42; Nays 46.

Yeas:

Mr. Speaker	Crawford	McElhaney	Pruitt
Adwell	Culver	McLain	Smith
Agee	Fine	Meeks	Snell
Bank	Hain	Melton	Springer
Bassett	Hardin	Merrill	Starnes
Berryman (W)	Headley	Money	Steagall
Brassell	Holladay	Owens (W)	Stembridge
Cameron	Mathews	Owens (W.E.)	Tuck
Collier	Mays	Paulk	Turnham
Collins (W)	McCorquodale	Pearson	Watkins
Cook (Coffee)	McDonald		

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Nays:

Messrs.:	Foshee	Jackson (T)	Pennington
Beck	Gafford	Laxson	Perloff
Blanton	Garrett	Lemley	Robertson
Brannan	Gloor	Lybrand	Sessions
Cherner	Graham	Lyons	Shumate
Collins (C)	Grayson	Malone	Slate
Dill	Harper	Manley	Stubbs
Dobbs	Harris	Marr	Weeks
Doss	Haygood	Meade	Wood
Downing	Higginbotham	Nettles	Wright
Edgington	Hill	Neville	Yeilding
Ellis	Jackson (F)	Owen (Baldwin)	

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Mr. McCorquodale moved to non-concur in the Senate amendment to the bill, H. 673, and requested a Committee of Conference.

And the motion was adopted.

Yeas 86; Nays 4.

Yeas:

Mr. Speaker	Downing	Lybrand	Perloff
Adwell	Drake	Lyons	Pruitt
Agee	Edgington	Malone	Robertson
Bank	Fine	Manley	Sessions
Bassett	Foshee	Mathews	Shumate
Beck	Gloor	McCorquodale	Slate
Berryman (W)	Graham	McDonald	Smith
Blanton	Grainger	McElhaney	Snell
Bowers	Grayson	McLain	Springer
Brassell	Hain	Meade	Starnes
Brown	Hardin	Meeks	Steagall
Cameron	Harris	Melton	Stembridge
Cherner	Haygood	Merrill	Stubbs
Collier	Headley	Money	Tuck
Collins (C)	Higginbotham	Nettles	Turnham
Collins (W)	Hill	Neville	Watkins
Cook (Coffee)	Hobbie	Owen (Baldwin)	Weeks
Cook (Jefferson)	Holladay	Owens (W)	Williams
Crawford	Jackson (F)	Owens (W.E.)	Wood
Dill	Jackson (T)	Paulk	Wright
Dobbs	Laxson	Pennington	Yeilding
Doss	Lemley		

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Nays:

Messrs.:	Culver	Harper	Mays
Brannan			

—4

And the Speaker named as the Committee of Conference on the part of the House Messrs. McCorquodale, Pruitt and Adwell.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Berryman (W), the House concurred in and adopted the Senate amendment to the bill, H. 817, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in Franklin County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is ex-

pressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10 cents) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10 cents) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within Franklin County, or any athletic association thereof, or other association whether such institution or association be a denominational, a state or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Franklin County, an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one-half of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one-half of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer; provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of five dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date,

as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm or corporation engaged on continuing within Franklin County in the business of selling at retail any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to one-half of one percent of the gross proceeds of the sale thereof. Provided, however, the one-half of one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

Section 2. (a) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail for storage, use or other consumption in Franklin County at the rate of one percent of the sales price of such property, except as provided in subsections (b), (c) and (d).

(b) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retail at the rate of one-half of one percent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, use

or other consumption in Franklin County at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment which is purchased at retail after the effective date of this Act for storage, use or other consumption in Franklin County, at the rate of one-half of one percent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Franklin County. Provided, however, the one-half of one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(e) An excise tax is hereby imposed in Franklin County on the classes of tangible personal property and at the rates imposed on such classes specified in subsections (a), (b), (c) and (d) of this section on the storage, use or other consumption in the performance of a contract in Franklin County of such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in Franklin County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b), (c) and (d) of this section apply.

Section 3. The taxes provided for in section 1 and section 2 of this Act shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as are applicable to the state sales and use taxes levied under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection of the taxes.

Section 4. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the state department of revenue, for the use and benefit of Franklin County, shall collect or enforce such taxes in the manner and from therein provided, and as further provided in section 5 hereof.

Section 5. The taxes imposed by this Act shall be collected by the state department of revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, and all reports now required to be made to the commissioner of revenue of the State of Alabama shall, on request of the department of revenue, be available for inspection by the chairman of the county governing body of Franklin County or his designated agent, at reasonable times during business hours. The state department of revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto. It shall be the duty of the commissioner of revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the fifth day of the following month the commissioner of revenue shall certify to the state comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Franklin County during the calendar month immediately preceding the making of such certificate to the state treasurer. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Franklin County, in his official capacity, for the amount due Franklin County; whereupon, it shall be the duty of the custodian of county school funds to divide such revenues between the county board of education and the board of education of the City of Russellville proportionately on the basis of the number of pupils in average daily attendance in their respective school systems during the current school year, as ascertained in accordance with the rules and regulations of the state board of education. The state department of revenue shall charge Franklin County for collecting the special county taxes levied herein the cost of collecting such taxes, such charge, however, not to exceed five percent of the amount collected. Such charge for collecting the special taxes for the county shall be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Franklin County for that month.

Section 6. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Franklin County, except as herein otherwise specifically provided.

Section 7. All revenue arising from the taxes herein levied shall be used exclusively for public school purposes within Franklin County.

Section 8. This Act supersedes Act No. 516, approved November 19, 1959 (Acts 1959, Vol. 2, p. 1267); provided, that rights and duties that matured, penalties that were incurred, and proceedings that were begun under said Act No. 516 before the effective date of this Act shall not be affected by this Act.

Section 9. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the month succeeding the thirtieth day following the date on which this Act is approved by the Governor or shall otherwise become law.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Owens (W.E.)
Agee	Edington	Lemley	Paulk
Bassett	Ellis	Lybrand	Pennington
Beck	Fine	Lyons	Perloff
Berryman (W)	Foshee	Malone	Pruitt
Blanton	Garrett	Manley	Sessions
Bowers	Graham	Mathews	Slate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Brown	Hain	McDonald	Springer
Cameron	Hardin	McElhaney	Starnes
Collier	Harper	McLain	Steagall
Collins (C)	Harris	Meade	Stembridge
Collins (W)	Haygood	Meeks	Stubbs
Cook (Coffee)	Headley	Melton	Tuck
Crawford	Higginbotham	Merrill	Turnham
Culver	Hobbie	Money	Williams
Dill	Holladay	Nettles	Wood
Dobbs	Jackson (F)	Neville	Wright
Doss	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 726, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate said vote being Yeas 25, Nays 0.

And said Bill, as thus amended by the Executive amendment, is herewith returned to the House.

MCDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 726 with suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

July 8, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith House Bill No. 726 without my approval and suggest that said House Bill No. 726 be amended to insert immediately after the words "cognizable before a juvenile court" in the third sentence from the last sentence in Section 2, the following: "and the provisions of Chapter 7, Title 13, Code of Alabama 1940, as amended, shall apply;"

I have discussed this matter with the sponsor of this legislation and this proposed Executive Amendment is agreeable to him.

Respectfully,

ALBERT P. BREWER,
Governor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

Also:

By Mr. Torbert:

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to

provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

Also:

By Mr. Giles:

S. 177. To amend subsection I of Section 204 of Title 26, Code of Alabama 1940, as last amended, so as to provide for the transfer of unemployment experience to successors of segregable portions of a business upon written application within a prescribed time limit.

Also:

By Mr. Giles:

S. 179. To amend Section 247, Title 26, Code of Alabama 1940, as amended, the same pertaining to protection against self-incrimination.

Also:

By Mr. Giles:

S. 180. To amend subsection E(1) of Section 240, Title 26, Code of Alabama 1940, as amended, the same pertaining to proceedings to enforce the collection of delinquent unemployment contributions or taxes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 461. Judiciary.
- S. 499. State Administration.
- S. 177. State Administration.
- S. 179. State Administration.
- S. 180. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Dominick:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 645. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 8. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Oden:

S. 757. To amend Section 12 of Act No. 211, S. 107, Regular Session 1945 (Acts 1945, p. 330 at p. 334), an Act relating to the construction, maintenance and operation of public hospitals, health centers and related facilities, so as to provide for the leasing of such public hospitals, health centers and related facilities.

Also:

By Mr. Radney:

S. 816. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

By Mr. Torbert:

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor for the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Also:

By Mr. Radney:

S. 815. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

S. 757. Local Legislation No. 1.

S. 816. Local Legislation No. 1.

S. 644. Local Legislation No. 1.

S. 815. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Oden:

S. 188. To amend Act No. 580, H. 379, Regular Session 1965 (Acts 1965, v. 2, p. 1077) further regulating purchasing by or for the use of the state highway department.

Also:

By Messrs. Radney, Torbert, Harris, McDermott, Turner, Engel:

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Also:

By Messrs. Radney, Torbert, Harris, McDermott, Turner, Engel:

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Also:

By Mr. Turner:

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Also:

By Mr. Turner:

S. 339. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

Also:

By Messrs. Folsom and Branyon:

S. 408. To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

Also:

By Mr. Cooper:

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

Also:

By Mr. McDermott:

S. 146. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Also:

By Messrs. McCarley, Skidmore, Leonard, Albea, Folsom, Branyon, Pelham, Radney, Pierce, Cooper, Torbert, Jackson, Turner, Morrow, Engel, Vacca, Hawkins, McDermott, Bailes and Carr:

S. 495. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Also:

By Mr. McDermott:

S. 158. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Also:

By Mr. McDermott:

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

By Mr. McDermott:

S. 162. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

Also:

By Mr. Dominick:

S. 269. To propose an amendment to the Constitution of Alabama with respect to the retirement, censure, suspension and removal of judges, creating a Judicial Commission and defining its powers, duties and authority.

Also:

By Mr. Dominick:

S. 441. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

Also:

By Messrs. Gilmore, Oden, Pierce, Nabors, Turner, Engel, Cooper, Torbert, Clark, Vacca, Childs, Branyon, Folsom, Bailes, Pelham, McDermott, Harris, Jackson, Carr, Albea, McCarley, Leonard, Giles:

S. 45. To prohibit the exposing of obscene and harmful materials to persons eighteen years of age and older; to define terms and to prescribe penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 188. Judiciary.

S. 93. Judiciary.

SENATE MESSAGE

S. 98. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 338. Judiciary.
- S. 339. Transportation.
- S. 408. Ways and Means.
- S. 484. Judiciary.
- S. 146. Local Government.
- S. 495. Judiciary.
- S. 158. Local Government.
- S. 160. Local Government.
- S. 162. Local Government.

SENATE MESSAGE

S. 269. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Rules.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 441. Health.
- S. 45. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 480. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lindsey:

S. 220. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Also:

By Mr. Stone:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Also:

By Mr. Harris:

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Also:

By Messrs. Torbert and Clark:

S. 384. To provide for the appointment of one additional board member to the Alabama board of cosmetology; to provide for the qualifications, term, authority, duties, responsibilities and compensation of such member; and to provide that this act shall be supplementary to the state cosmetology law as provided by Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended.

Also:

By Messrs. Harris and Torbert:

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article

which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

Also:

By Messrs. Vacca and Bailes:

S. 206. To amend Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Also:

By Mr. Skidmore:

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and and referred to appropriate Standing Committees as follows:

- S. 220. Conservation.
- S. 322. Judiciary.
- S. 390. Health.
- S. 384. Judiciary.
- S. 621. Agriculture.
- S. 206. Judiciary.
- S. 393. Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Also:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

H. 418. To make a conditional appropriation from the Alabama special educational trust fund in the state treasury to the use of the Alabama Education Television Commission.

Also:

H. 533. To amend Sections 1 and 3 of Act No. 322, General Acts of Alabama 1947, page 212, which pertains to the catching of shrimp for bait during the closed season and for the licensing of persons selling or offering for sale such shrimp.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 63. Proposing an amendment to the Constitution of Alabama to provide that the legislature may from time to time, by general or local laws, fix, alter and regulate the costs and charges of courts in Lee County and the method of disbursement thereof.

Also:

By Mr. O'Bannon:

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

Also:

By Messrs. Goodwyn and Pierce:

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain addi-

tional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

"Beginning at a point on the North line of Section 35, T16N, R18E, Montgomery County, Alabama. Said point lying 300' east of, measured perpendicular to the east right-of-way line of the Eastern By-Pass; thence southwesterly, parallel with the said east right-of-way line of the Eastern By-Pass and along the existing City Limits line to the west line of the northeast $\frac{1}{4}$ section 35, T16N, R18E; thence S 03 degrees 24' E along the west line of the northeast quarter of said Section 35 to the northeasterly right-of-way of the Central of Georgia Railroad; thence S 47 degrees 22 feet E along the northeasterly right-of-way of the Central of Georgia a distance of 769.17 feet to the south line of the northeast quarter of said Section 35; thence N 87 degrees 05 feet E along the south line of the northeast quarter of said Section 35 a distance of 2124.24 feet to the southeast corner of the northeast quarter of said Section 35; thence N 01 degrees 49 feet W along the east line of said Section 35 a distance of 2634.48 feet to the common corner of Section 25, 26, 35 & 36 T16N, R18E; thence N 86 degrees 16 feet E along the south line of said Section 25 a distance of 2232.0 feet; thence N 03 degrees 33 feet W a distance of 3989.0 feet more or less to the south right-of-way line of the Vaughn Road; thence northwesterly along the south right-of-way of the Vaughn Road to the northeast corner of the Plat of Green Acres, Plat No. 1 as the same is filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 13, Page 163; thence south along the east line of said plat of Green Acres No. 1 to the southeast corner thereof, also being a point on the $\frac{1}{2}$ Section line running north and south through the center of Section 26, T16N, R18E; thence south along said $\frac{1}{2}$ section line to the north line of Section 35, T16N, R18E, thence east along the north line of said Section 35 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Goodwyn and Pierce:

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA

MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the northeast corner of Section 1, T16N, R18E; thence west from the point of beginning along the north line of said Section 1 to the easterly right of way of the Eastern By-Pass; thence southeasterly along the easterly right of way of the Eastern By-Pass to the southerly right of way of the Seaboard Coast Line Railroad right of way; thence southeasterly along the said southerly right of way to the east line of said Section 1; thence northerly along the east line of said Section 1 to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA

COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and says:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the

City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Goodwyn and Pierce:

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, ot-wit:

To reach the point of beginning, from the southwest corner of Section 27, T16N, R17E run northerly along the west line of said Section 27 to the northwest corner of the southwest quarter of said Section 27, this being the point of beginning, thence S 89 degrees 13' E along the north line of the southwest quarter of said Section 27 a distance of 1313.3 feet more or less to the northeast corner of the west half of the southwest quarter of said Section 27, thence S 0 degrees 28' W along the east line of the west half of the southwest quarter of said Section 27 a distance of 1859.6 feet more or less, to the intersection of the northerly right of way of U. S. Highway 31 (West Boulevard), thence northwesterly along the northerly right of way of U. S. Highway 31 (West Boulevard), to the north line of the southwest quarter of Section 28, T16N, R17E, thence southerly along the north line of the southeast quarter of said Section 28 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: June 26, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

Also:

By Messrs. Goodwyn and Pierce:

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at a point on the east right of way line of Norman Bridge Road, said point lying 485 feet north of the eastern extension of the north right of way line of Fleming Road and said point lying on the present City Limits line; thence east and parallel to the north right of way line of Fleming Road and its extension to a point 657.3 feet west of the west line of the east one half of the east one half of Section 31, T16N, R18E; thence S-30-deg.-31'W a distance of 129.2 feet to a point; thence S-47

deg.-13'-W a distance of 52.2 feet to a point; thence S-30 deg.-31'-W a distance of 150 feet to a point; thence S-59 deg.-29'-E a distance of 320 feet to a point; thence S-30 deg.-12'-E a distance of 68.9 feet to a point; thence S-03 deg.-46'-E a distance of 350 feet to a point; thence west along the north line of Plat No. 9, Sunshine Acres, as filed for record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 18, on Page 53 and also along the north line of Plat No. 11, Sunshine Acres, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 19, on Page 9, to the northwest corner of said Plat No. 11; thence south along the west line of said Plat No. 11 to the southwest corner thereof; thence east along the south line of said Plat No. 11 and said Plat No. 9 to the west line of the east one half of the east one half of Section 31, T16N, R18E; thence southerly along the west line of the east one half of the east one half of said Section 31 to the south line of said Section 31; thence westerly along the south line of said Section 31 to the easterly right of way of Norman Bridge Road; thence northerly along the easterly right of way of Norman Bridge Road to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, Mary Gaye Pirtle a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: June 28, July 3, July 10 and July 17, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 18th day of July, 1969.

MARY GAYE PIRTLE,
Notary Public, Montgomery County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

S. 63. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 727. Local Legislation No. 1.
- S. 693. Local Legislation No. 4.
- S. 694. Local Legislation No. 4.
- S. 695. Local Legislation No. 4.
- S. 696. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Giles:

S. 181. To amend subsection C of Section 240, Title 26, Code of Alabama 1940, as last amended, so as to permit the Director under certain circumstances to issue a corrected assessment.

Also:

By Messrs. Vacca, Givhan, Clark, Branyon, Childs, Dominick, Bailes, Engel, and Gilmore:

S. 39. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Also:

By Messrs. Morrow, Turner, Goodwyn, Skidmore and Torbert:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

Also:

By Mr. Clark:

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

Also:

By Mr. Pierce:

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Also:

By Mr. Givhan:

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

Also:

By Mr. Givhan:

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

Also:

By Mr. Givhan:

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 181. State Administration.
- S. 39. Transportation.
- S. 536. Judiciary.
- S. 502. Education.
- S. 619. State Administration.
- S. 507. Agriculture.
- S. 508. Agriculture.
- S. 509. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hawkins:

S. 760. To create a state junior college board; to prescribe its duties, powers and authority; and to repeal conflicting laws.

Also:

By Mr. Hawkins:

S. 761. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

Also:

By Mr. Hawkins:

S. 762. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 760. Education.

S. 761. Education.

SENATE MESSAGE

S. 762. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Morrow and Bailes:

S. 574. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Also:

By Mr. Cooper:

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 574. Judiciary.

S. 481. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Skidmore, Gilmore, Morrow, Vacca, Bailes, Hawkins, Dominick, Givhan, McCarley and Childs:

S. 748. Relating to state parks, memorials and historical sites; establishing the Tannehill Furnace and Foundry Commission as a state agency to acquire, renovate, maintain and exhibit the old Tannehill Furnace in the County of Tuscaloosa; and to establish, create, manage, control and operate a state memorial park for the exhibition of this old furnace and the processes of iron making and for other related purposes; prescribing the authority, powers, duties and functions of the commission and its members and officers; forbidding members of the commission or employees thereof to engage in certain dealings with the commission and prescribing penalties therefor; and making an appropriation.

Also:

By Mr. Givhan:

S. 681. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 748. State Administration.

S. 681. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 265. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Also:

By Mr. McDermott:

S. 420. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940," by adding pipeline companies to the corporations included in said Section 88.

Also:

By Mr. McDermott:

S. 419. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Also:

By Mr. Cooper:

S. 223. To amend Section 19 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Also:

By Mr. Cooper:

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

Also:

By Mr. Cooper:

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

Also:

By Mr. McDermott:

S. 154. To amend Section 156, Title 41, Code of Alabama 1940, to require the governing body of any county or any incorporated municipality to approve or disallow statement of traveling expenses of any officer or employee of such county or municipality within thirty days after presentment.

Also:

By Mr. McDermott:

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940 by requiring the Judge of Probate to file certified copies of his order of incorporation in certain places and providing for a fee for such services.

Also:

By Messrs. Cooper, Leonard, Radney, Turner, Givhan, Harris, Jackson, Vacca and Pierce:

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for nursing home administrators; and to prescribe penalties for violations of this Act and rules and regulations promulgated thereunder.

Also:

By Mr. McDermott:

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

By Mr. McDermott:

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

By Messrs. Bailes, Hawkins and Childs:

S. 34. To amend Section 666 of Title 7 of the Code of Alabama, 1940, amended, relating to wages and salary of deceased employees.

Also:

By Mr. McDermott:

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Also:

By Mr. Folsom:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts of 1953, p. 240); and to provide for the enforcement of this Act, and to fix the date on which said Act shall become effective.

Also:

By Messrs. Radney, Turner, Engel:

S. 104. To amend Code of Alabama 1940, Title 49, Sections 78, 85, and 89, to increase the maximum age for children in the care or custody of individuals or institutions supervised by the state board of public welfare.

Also:

By Messrs. Radney, Turner, Engel:

S. 105. To amend further Code of Alabama 1940, Title 52, Sections 590 and 591, so as to raise the age of the boys who may be committed to, received and cared and provided for at the Alabama Boys Industrial School.

Also:

By Messrs. Radney, Turner, Engel:

S. 106. To amend Code of Alabama 1940, Title 13, Chapter 7, which relates to juvenile courts, so as to raise the maximum age for juvenile court jurisdiction and to revise certain of the rules relative to process of and procedures in such courts; amending Sections 350, 352, 353, 359, 360, 362, 363, 366, and 367.

Also:

By Mr. Turner:

S. 277. To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms.

Also:

By Messrs. Cooper, Stone, Vacca, Radney, Leonard, Pierce, Hawkins, Giles, McCarley, Clark, Harris, Nabors, Torbert, Turner, Lindsey, Gilmore, Givhan, Childs, Branyon, O'Bannon and Folsom:

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Also:

By Mr. Skidmore:

S. 328. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 265. Education.
- S. 420. Judiciary.
- S. 419. Judiciary.
- S. 223. Health.
- S. 336. Judiciary.
- S. 335. Judiciary.
- S. 154. State Administration.

- S. 155. State Administration.
- S. 77. Judiciary.
- S. 157. Judiciary.
- S. 159. State Administration.
- S. 34. Transportation.
- S. 153. State Administration.
- S. 190. Agriculture.
- S. 104. Judiciary.
- S. 105. Judiciary.
- S. 106. Judiciary.
- S. 277. Health.
- S. 603. Transportation.
- S. 328. Highway Safety.

RESOLUTION

The following resolution was introduced:

By Messrs. Fite, Lyons and McDonald:

H. R. 115. WHEREAS, Kenneth E. Woods has left an inspirational imprint on the State he loved and on the objectives he cherished, and

WHEREAS, To those who knew him, he was a gentleman and a friend whose dedication to the causes he embraced was never challenged, and

WHEREAS, To those who knew of him, he was a courageous gentleman of character who expressed his unwavering beliefs in the integrity of truth and honor, and

WHEREAS, Kenneth E. Woods was recognized for his insight and his foresight, for his reverence and his devotion, for his strength and his sensitivity, and a rare understanding of his fellowman, and

WHEREAS, His quality of leadership thrust him into position of prominence, trust and respect; without fear of favor, he accepted his responsibilities and was applauded for his accomplishments, and

WHEREAS, Kenneth E. Woods was a successful businessman, untiring civic and political leader and humble christian, he was an uncommon man with the uncommon touch; in 1960, Governor Buford Ellington appointed Kenneth E. Woods as a charter member of the Tennessee-Tombigbee Waterway Development Authority. Twice he was elected vice-chairman of the Authority, first in 1967, and again in 1968, and served in the demanding position with acknowledged distinction, and

WHEREAS, The progress of the Authority can be largely attributed to the unselfish performance of his duties and to the guidance he provided until his untimely death on June 6, 1969, at the age of fifty-seven.

NOW THEREFORE BE IT RESOLVED By the Legislature that due note of the death of the Honorable Kenneth E. Woods be made, and the Legislature does hereby express to the members of his family their great bereavement at this time and extend to them their full sympathy.

BE IT FURTHER RESOLVED That a copy of this resolution be spread upon the Journals of this body and copies forwarded to the members of the family.

On motion of Mr. Lyons, the rules were suspended and H. R. 115 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Engel:

S. 256. To amend Act No. 206, H. 81, of the First Special Session of 1964 (Acts, First and Second Special Sessions 1964, p. 266), entitled "An Act to provide for the creation of apartment ownership, and to prescribe regulations therefor"; to redefine an apartment owner's interest in the common area and facilities appurtenant to the apartments and to prescribe a legal description of such apartments.

Also:

By Messrs. Engel and McDermott:

S. 257. To prohibit the offer for sale of goods, wares or merchandise where the offer includes the unsolicited sending of such goods, wares or merchandise not requested by the recipient; and to declare the same an unconditional gift to the recipient.

Also:

By Mr. Clark:

S. 714. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

Also:

By Messrs. Clark, Torbert and Gilmore:

S. 247. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act to fix the compensation of certain state officers."

Also:

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, O'Bannon, Folsom, Givhan, Harris, Lindsey, Giles, Torbert and Clark:

S. 518. To fix the compensation of circuit judges in Alabama; and to provide the method of payment and effective date thereof.

Also:

By Mr. Pelham:

S. 604. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 256. Judiciary.
- S. 257. Judiciary.
- S. 714. Ways and Means.
- S. 247. Judiciary.
- S. 518. Judiciary.
- S. 604. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 650. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Also:

By Mr. Clark:

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
BARBOUR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Blue Springs, in Barbour County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town certain additional territory lying within the following described boundaries, to-wit:

Commence at the Northwest corner of the Southeast Quarter of Northeast Quarter, Section 14, Township 8 North, Range 25 East, and thence run due East along the quarter section lines for a distance of 6600 feet to the Northeast corner of the Southeast Quarter of Northeast Quarter, Section 13, Township 8 North, Range 25 East; thence run due South along the Eastern boundary of Range 25 a distance of 7920 feet to the Southeast corner of the Northeast Quarter of Southeast Quarter, Section 24, Township 8 North, Range 25 East; thence run due West along the quarter section lines for a distance of 6600 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter, Section 23, Township 8 North, Range 25 East; and thence run due North along the quarter section lines for a distance of 7920 feet to the point of beginning, being the Northwest corner of the Southeast Quarter of Northeast Quarter, Section 14, Township 8 North, Range 25 East.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 5, 1969.

MILTON CAMPBELL.

Also:

By Mr. Clark:

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA BARBOUR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain addi-

tional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Town of Blue Springs, in Barbour County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town certain additional territory lying within the following described boundaries, to-wit:

Commence at the Northwest corner of the existing North and West boundaries of the corporate limits of the Town of Blue Springs, and thence run due West along the quarter section lines to the Northwest corner of the Southeast Quarter of the Northeast Quarter, Section 15, Township 8 North, Range 25 East; thence run due South along the quarter section lines for a distance of 7920 feet, more or less, to the Southwest corner of the Northeast Quarter of Southeast Quarter, Section 22, Township 8 North, Range 25 East; thence run due East along the quarter section lines to the Southwest Corner of the existing South and West boundaries of the corporate limits of the Town of Blue Springs; and thence run in a Northerly direction along the existing Western boundary of the corporate limits of the Town of Blue Springs for a distance of 7920 feet, more or less, to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 5, 1969.

MILTON CAMPBELL,
Notary Public.

Also:

By Messrs. McDermott and Pelham:

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v 1, page 235) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955, v. 1, p. 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322) is hereby amended to read as follows:

"Section 1. The Judge of Probate of Mobile County may, in his discretion, create and establish such administrative divisions in his office as he may determine necessary or convenient in the efficient and expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The judge may reassign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the Judge of Probate, and shall serve at his pleasure, but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not less than \$6,000 annually and not more than \$9,000.00 annually, the amount to be fixed by the Judge of Probate, to be paid in equal installments, as the salaries of other county employees are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The Probate Judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerk of the Probate Court of Mobile County presently provided for by statute, upon the establishment of divisions as provided in this Act, but no such position shall be abolished without his approval."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 6, 13, 20, 27, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 27 day of June 1969.

S. S. GATLIN,
Notary Public.

Also:

By Mr. McDermott:

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Chickasaw, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Chickasaw and in addition thereto the following described territory, to-wit:

All that parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

From the Northwest corner of said Section 15, run Easterly along the North line of said Section a distance of 429 feet, more or less, to a point on the East right of way line of U. S. Highway 43, which point lies on the southern boundary of the 1968 City Limits of the City of Saraland, Alabama; thence run South 02°-07'-45" West along the East right of way line of U. S. Highway 43 a distance of 2010 feet to a point, which point is the point of beginning of the parcel herein described, thence run due West a distance of 1180 feet, more or less, to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 13,850 feet, more or less, to a point which is the common point of intersection of the center line of Chickasaw Creek, the western right of way line of U. S. Interstate Highway 65 and the eastern boundary line of the City of Prichard, Alabama; thence run southeasterly along the western right of way line of said U. S. Interstate Highway 65 a distance of 5,200 feet to the point of intersection with the existing boundary lines of the City of Chickasaw; thence run eastwardly, northwardly and eastwardly along the existing boundary line of the City of Chickasaw to a point of intersection with the west boundary line of said Section 16 3960 feet, more or less, south of the northwest corner of said Section 16; thence run South along the West boundary of said Section 16 which is along the boundary of said City Limits for a distance of 610 feet, more or less, to the point of intersection with the center line of Eight Mile Creek; thence run in a general northerly direction along and with the meander of said center line of Eight Mile Creek, which is along the boundary of said City Limits, to the point in said center line that is 1400 feet Northwardly from the South boundary of Section 16, measured at right angles to said South boundary; thence in an Easterly direction parallel to and 1400 feet from the South boundary

of said Section 16, run along the boundary of said City Limits to a point on the East bank of said Eight Mile Creek; thence run along the boundary of said City Limits Northerly and Easterly along the meanderings of the said East bank of Eight Mile Creek to its junction with the West line of Chickasabogue; thence Southeasterly along and with the meanderings of said Chickasabogue, which line is the said City Limits, to its junction with the West line of U. S. Highway 43; thence continue Easterly along the South bank of said Chickasabogue for a distance of 210 feet, more or less, to its junction with the East right of way line of U. S. Highway 43; thence run North 02°-07'-45" East along the East right of way line of U. S. Highway 43 a distance of 2010 feet to the initial point of beginning on the East right of way line of U. S. Highway 43.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register June 19, 26, July 3, 10, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10 day of July 1969.

S. S. GATLIN,
Notary Public.

Also:

By Mr. Skidmore:

S. 598. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

Also:

By Mr. Skidmore:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Also:

By Mr. Leonard:

S. 641. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Also:

By Mr. Leonard:

S. 642. Relating to cities operating under the Commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 650. Local Legislation No. 1.
- S. 449. Local Legislation No. 1.
- S. 448. Local Legislation No. 1.
- S. 654. Local Legislation No. 3.
- S. 656. Local Legislation No. 3.
- S. 598. Transportation.
- S. 600. Transportation.
- S. 641. Local Legislation No. 1.
- S. 642. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Stone:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

By Mr. Folsom:

S. 721. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Also:

By Mr. Branyon:

S. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

Also:

By Mr. Leonard:

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE

As soon as publication hereof has been completed as required by the constitution and laws of the State of Alabama, the following local Act will be introduced for passage in the Legislature of Alabama:

AN ACT TO EXTEND, ALTER AND REARRANGE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE TOWN OF LINCOLN, TALLADEGA COUNTY, ALABAMA:

Be It Enacted by the Legislature of Alabama:

SECTION 1: That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended altered and rearranged so as to include within the corporate limits of said Town all of the following described territory:

All of the East Half ($E\frac{1}{2}$), the East Half of East Half of West Half ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $W\frac{1}{2}$), the South Three-Fourths of the West Half of Southeast Quarter of Southwest Quarter ($S-\frac{3}{4}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$), and the South Three-Fourths of the Southwest Quarter of Southwest Quarter ($S-\frac{3}{4}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 21; the West Half ($W\frac{1}{2}$) of Section 22; the West Half ($W\frac{1}{2}$) of Section 27; all of Section 28; the West Half ($W\frac{1}{2}$) of Section 34; all of Section 33; and the portions of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) and Fraction "A" of Section 32 that are easterly of the westerly right-of-way line of the old Talladega-Lincoln Highway (1928-38) and northerly of U. S. Interstate 20 Highway right-of-way, all in Township 16 South, Range 5 East, Talladega County, Alabama; also the Northwest Quarter ($NW\frac{1}{4}$) and the North Half of the Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) of Section 3; the North Half ($N\frac{1}{2}$) and North Half of the South Half ($N\frac{1}{2}$ of $S\frac{1}{2}$) of Section 4; and the East Half of the East Half of the East Half of the Northeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$) and the East Half of the East Half of the Northeast Quarter of the Southeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 5, all in Township 17 South, Range 5 East, Talladega County, Alabama.

SECTION 2: All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3: This Act shall be effective upon its publication and approval by the Legislature or upon its otherwise becoming a law.

STATE OF ALABAMA

TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Dorothy Bleick, who being duly sworn according to law, deposes and says that she is the Clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper

for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 28, 1969, July 4, 1969, July 11, 1969, and July 18, 1969.

DOROTHY BLEICK.

Subscribed and sworn to before me on this 21 day of July, 1969.

FAYE F. BISHOP.

Also:

By Mr. Harris:

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Board of Revenue and Control of Morgan County shall each receive an annual salary of nine thousand six hundred dollars (\$9,600), to be paid in equal monthly installments on the second Monday in each month. Such salary shall be in lieu of all other compensation, fees, allowances and expense accounts, heretofore provided them by law, except that each member of such board may be reimbursed for his actual expenses incurred when travelling out of Morgan County in the performance of his official duties.

Section 2. The chairman of the Board of Revenue and Control of Morgan County shall receive as compensation for his services an annual salary of fourteen thousand five hundred dollars (\$14,500) to be paid in monthly installments on the second Monday in each month. Such salary shall be in lieu of all other compensation, fees, allowances and expense accounts heretofore provided the chairman by law, except that he may be reimbursed for his actual expenses incurred when travelling out of Morgan County in the performance of his official duties.

Section 3. Act No. 437, H. 937, of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof are hereby specifically repealed. All other laws or parts of laws in conflict herewith are also repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective on the first Monday after the second Tuesday in January 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26th, July 3rd, July 10th, and July 17th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 18th, 1969.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Harris:

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for his clerical assistance, as amended, is further amended to read as follows:

"Section 1. The judge of probate of Morgan County, Alabama, shall receive an annual salary of fourteen thousand dollars (\$14,000). Such salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to such office, except as herein otherwise provided."

Section 2. Section 4 of said Act No. 70, Regular Session 1943, as amended, is further amended to read as follows:

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, as conditions and circumstances may warrant."

Section 3. Section 1 of this act shall become effective upon the expiration of the term of the incumbent judge of probate of Morgan County. Section 2 of this act shall become effective immediately upon the passage and approval of this act by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26th, July 3rd, July 10th, and July 17th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 18th, 1969.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Harris:

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Limestone County and the county board of education of Morgan County are each hereby authorized to fix and collect reasonable tuition fees or charges to be paid by any pupil attending a school under the jurisdiction of such county board of education, when such pupil resides outside the county or resides within the corporate limits of a city or town within the county, which has an independent city school system.

Section 2. A city board of education of any city in Limestone County or any city in Morgan County which has an independent city school system may fix and collect reasonable tuition fees and charges to be paid by any pupil attending a school under the jurisdiction of such city board of education, when such pupil resides outside the corporate limits of the city.

Section 3. The proceeds of all fees fixed and collected as herein authorized shall be used and expended for such public school purposes as the board of education having jurisdiction of the school, where the pupil paying such tuition fees or charges is enrolled, directs.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act is cumulative and it shall be construed in pari materia with other school laws, nevertheless all laws or parts of laws which conflict with this Act are hereby repealed, and the provisions of Code of Alabama 1940, Title 52, Sections 142 and 176, insofar as they conflict with this Act are superseded by this Act.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MORGAN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

**R. H. JERVIS,
Notary Public.**

Also:

By Mr. Harris:

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

Be It Enacted by the Legislature of Alabama:

Section 1. In the case of an employee whose compensation is paid in part by Morgan County and in part by public funds from some other source, the governing body of Morgan County may provide for the participation in any existing retirement fund for the benefit of county employees by such employee, if he is otherwise eligible therefor, on the basis of his total compensation from all sources, rather than just the part thereof paid from county funds; provided such employee elects to participate in such fund on the basis of his entire compensation and agrees to pay and pays one-half of the required contribution thereto based on his entire compensation. The county governing body is hereby specifically authorized to make the provision for such participation retroactive to the date of the beginning of any existing retirement fund or the date of employment of such employee whichever is later.

Section 2. In the case of an employee whose compensation is paid in part by a city in Morgan County and in part by public funds from some other source, the governing body of such city may provide for participation in any existing retirement fund for the benefit of employees of such city, by such employee, if he is otherwise eligible therefor, on the basis of his total compensation from all sources rather than just the part thereof paid from city funds; provided such employee elects to participate in such fund on such basis and agrees to pay and pays one-half of the required contribution thereto based on his entire compensation. The city governing body is hereby specifically authorized to make provision for such participation retroactive to the date of the beginning of any such

existing retirement fund or the date of employment of such employee whichever is later.

Section 3. For the purposes of Section 1 of this Act any person whom the county governing body of Morgan County is authorized to employ or to approve the employment of or to fix the compensation of, but whose compensation is paid partially from county funds and partially from public funds from other sources, shall be deemed a county employee. For the purposes of Section 2 of this Act any person whom the city governing body is authorized to employ, or approve the employment of or to fix the compensation of, but whose compensation is paid partially from city funds and partially from public funds from other sources, shall be deemed a city employee.

Section 4. This Act shall not operate to authorize the governing body of Morgan County to contribute to a retirement fund for any employee for whom any city in Morgan County is contributing to a retirement fund; nor shall it operate to authorize the governing body of any city in Morgan County to contribute to any retirement fund on behalf of an employee for whom Morgan County is contributing to a retirement fund. If any employee whose compensation is paid partially from funds of Morgan County and partially from funds of any city therein is eligible to participate in a retirement fund for Morgan County employees and also in a retirement fund for employees of such city, then such employee shall elect which of these retirement funds he desires to join; and the county or the city, as the case may be, shall provide for such employee's participation in the fund of his choice, as authorized in this Act.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Turner:

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ALABAMA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Crenshaw County, providing for the compensation of members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Crenshaw County shall be paid fifteen dollars (\$15) a day for each day in actual attendance at meetings of the board. Such compensation shall be paid from the public school funds of the county.

Section 2. The provisions of this act are cumulative, but all laws and parts of laws in direct conflict herewith are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: STATE OF ALABAMA COUNTY OF ALABAMA NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 25, 1969, July 2, 1969, July 9, 1969, July 16, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

Also:

By Mr. Turner:

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads

and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide further for the government of Crenshaw County; to re-divide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Crenshaw County is hereby divided into four commissioners districts. District number one shall be composed of all that portion of Crenshaw County which lies west of the center line of Alabama Highway 97 and U. S. Highway 331 and north of the center line of Alabama Highway 10.

District number two shall be composed of that portion of Crenshaw County lying east of the center line of Alabama Highway 97 and U. S. Highway 331 and north of the center line of U. S. Highway 29.

District number three shall be that portion of Crenshaw County lying south of the center line of Alabama Highway 10 and west of U. S. Highway 29 and U. S. Highway 331 until they intersect at Brantley and then west of U. S. Highway 29 to the point where said highway leaves Crenshaw County and enters Covington County.

District number four shall be composed of that portion of Crenshaw County lying south of the center line of U. S. Highway 29 to the point where U. S. Highway 29 merges with U. S. Highway 331 and west of said U. S. Highway 29 and 331 to the point where they divide at Brantley and then east of U. S. Highway 29 from Brantley to the point where said highway leaves Crenshaw County and enters Covington County.

Section 2. The commissioners serving when this act becomes law shall serve out the terms for which they have been elected; and the term of the commissioners representing districts 2 and 4, as such districts were heretofore constituted, are hereby extended until the first Monday after the second Tuesday in January 1973. Successors to all four members of the court of county commissioners shall be elected at the general election in 1972 and every four years thereafter as provided in Section 3 of this Act.

Section 3. At the general election in 1972, and every four years thereafter, one member of the court of county commissioners of Crenshaw County shall be elected from each of the four above defined districts. Candidates for election to membership shall each qualify as to the specific district he seeks to represent and he shall be a resident and qualified elector of the district for which he qualifies. Each commissioner shall continue to live in the district for which he is elected so long as he is a member of the court. All members of the court of county commissioners shall be elected to office by the qualified electors of the whole county, and each member so elected shall serve for a term of four years from the first Monday after the second Tuesday in January after his election and until his successor is elected and qualified.

Section 4. After this Act becomes effective, members of the court of county commissioners shall not be responsible for the construction, repair and maintenance of the public roads and bridges in their respective districts, nor shall any commissioner be authorized to purchase from county funds any road building materials, machinery, tools or equipment. All public roads and bridges in the county shall be constructed, repaired and maintained and all road building materials and equipment purchased as hereinafter provided. Upon demand therefor by the county engineer each commissioner shall deliver to the county engineer all county-owned road building materials, machinery, tools or equipment in his possession. Upon such delivery thereof the commissioner shall be relieved of further responsibility for such materials, machinery, tools and equipment. Except as herein otherwise provided, the court of county commissioners and the members thereof shall retain all the powers, duties and authority now provided by law for such court and the members thereof.

Section 5. The roads and bridges of Crenshaw County shall be constructed, repaired, and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The court of county commissioners shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair, and maintenance of the roads and bridges of the entire county. The budget shall specify the roads and bridge to be repaired and where new roads and bridges are to be located and constructed, and, shall allocate a specific amount or portion of county funds for such repairs and construction. The budget shall not be departed from except in cases of emergency upon a unanimous vote of the court of county commissioners.

Section 6. Immediately after the effective date of this Act, the court of county commissioners shall appoint a county engineer for Crenshaw County to serve at the pleasure of the court. The county engineer shall possess all the qualifications prescribed for county engineers by the general laws of Alabama. He shall have general supervision of the road and bridge work of the county, under the direction of the court of county commissioners. The court shall fix the salary of the county engineer, which shall be paid in equal monthly installments from the road and bridge funds of the county. The county engineer shall reside in Crenshaw County during his term of employment.

Section 7. Subject to the direction of the court of county commissioners, and in accordance with the road and bridge budget adopted by the court, the county engineer shall:

- (1) Exercise general supervisory powers over the construction and maintenance of the county public roads and bridges, which construction and maintenance work shall be performed on the basis of the county as a unit, without regard to any district lines;

(2) Perform such engineering and surveying service as may be required and prepare and maintain the necessary maps and records.

(3) Employ, and when necessary terminate the employment of, such employees as are necessary properly to construct, repair, and maintain the county public roads and bridges;

(4) Confer with the members of the court of county commissioners from time to time toward the end that the policies of the court may be understood and accurately carried out; and

(5) Perform other duties as may be required of him by the court of county commissioners and duties required by the general law of county engineers.

Section 8. The county engineer is hereby designated as the person authorized to make written requisitions upon the chairman of the court of county commissioners who shall act as the county purchasing agent for all articles, materials, supplies, and equipment necessary for the construction, repair, and maintenance of roads and bridges.

Section 9. The county engineer shall be the custodian of, and shall be accountable for, all road tools, machinery, supplies, and equipment of Crenshaw County. The court of county commissioners shall furnish the necessary storage facilities for the tools, machinery, supplies, and equipment; and the county engineer shall keep on file in his office at all times, a current inventory of all tools, machinery, supplies, and equipment belonging to the county.

Section 10. Subject to the approval of the court of county commissioners, the county engineer shall fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 13. This Act shall take effect on the first day of the month next following the date of enactment.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA

CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: **LEGAL NOTICE STATE OF ALABAMA COUNTY OF CRENSHAW NOTICE IS** hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application . . . was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: May 28, 1969, June 4, 1969, June 11, 1969, June 18, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

My Commission Expires 3-28-70.

PEGGY L. KNIGHT,
Notary Public.

Also:

By Mr. Turner:

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA

COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Crenshaw County the county board of education shall appoint the county superintendent of education for a term of from two to four years from the first day of July next succeeding his appointment. Provided, that the first county superintendent of education appointed under this Act shall assume his office upon the expiration of the term of the incumbent elected superintendent of education. The appointed superintendent of education shall possess the qualifications prescribed in the general law of Alabama relative to the qualifications of county superintendents of education and shall perform the same duties and have the same authority as the elected superintendent.

Section 2. The county superintendent of education of Crenshaw County shall receive as compensation for his services an annual salary in such amount as is fixed by the county board of education, and an expense allowance in an amount fixed by the county board of education; but the total amount of such salary and expense allowance combined shall not exceed \$15,000 per annum. The salary of the county superintendent shall be paid at the times and in the manner prescribed by the general law for the payment of salaries of county superintendents of education. The expense allowance shall be paid in equal monthly installments from the public school funds of Crenshaw County. The county board of Crenshaw County is hereby authorized and directed to fix and approve the salary and expense allowance of the county superintendent of education, subject to the above prescribed limitation. Such salary and expense allowance shall be the entire compensation allowed the county superintendent and shall be in lieu of all other compensation, salary and allowances heretofore provided for the superintendent of education of such county.

Section 3. The provisions of Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), all laws amendatory thereof and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary P. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: STATE OF ALABAMA COUNTY OF CRENSHAW NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its was published in said newspaper, once a week for four consecutive weeks, to-wit in the issues of said newspaper dated: June 25, 1969, July 2, 1969, July 9, 1969, July 16, 1969.

MARY P. REEDER.

Sworn and subscribed to before me this 30th day of July 1969.

PEGGY L. KNIGHT,
Notary Public.

My Commission Expires 3-28-70.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 697. Local Legislation No. 1.
- S. 721. Local Legislation No. 1.
- S. 716. Local Legislation No. 1.
- S. 691. Local Legislation No. 1.
- S. 682. Local Legislation No. 1.
- S. 683. Local Legislation No. 1.
- S. 659. Local Legislation No. 1.
- S. 658. Local Legislation No. 1.
- S. 708. Local Legislation No. 1.
- S. 711. Local Legislation No. 1.
- S. 710. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Pelham:

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

Also:

By Mr. Pelham:

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

Also:

By Mr. Pelham:

S. 607. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

Also:

By Messrs. Gilmore, Vacca, Bailes, Skidmore, Morrow, Hawkins, Dominick and Childs:

S. 725. To make an appropriation to the University of Alabama Medical Center for the planning and initiation of the School of Community and Allied Health Resources.

Also:

By Mr. Oden:

S. 715. To amend Sections 220, 221 and 224 of Title 52 of the Code of Alabama of 1940, which relate to capital outlay warrants issued by any County Board of Education or City Board of Education, so as to clarify the said sections and so as to revise the provisions thereof as to the maximum interest rate, the maximum net interest cost, and the amount of redemption premiums that are permitted with respect to such warrants.

Also:

By Mr. Pierce:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950-51, v. 1, p. 585).

Also:

By Mr. Pierce:

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 605. Judiciary.
- S. 606. Judiciary.
- S. 607. Judiciary.
- S. 725. Transportation.
- S. 715. Education.
- S. 286. Agriculture.
- S. 285. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Pierce and Goodwyn:

S. 742. To validate moral obligations, not exceeding five hundred dollars (\$500.00) in amount, paid by the Alabama Industrial School for Negro Children for motor vehicle accidents involving employees during the period October 1, 1966 through September 30, 1968.

Also:

By Mr. Turner:

S. 415. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for injury, disability and death of members of the state militia.

Also:

By Mr. Turner:

S. 399. To amend further Code of Alabama 1940, Title 30, Section 21, as amended, so as to eliminate therefrom the provision authorizing the placing on the jury roll and in the jury box the names of persons who cannot read English, but are freeholders or householders and possess the other qualifications prescribed for jurors.

Also:

By Mr. Turner:

S. 463. To authorize county governing bodies to expend county funds to purchase, erect and maintain flagpoles and flags for display on courthouse premises.

Also:

By Mr. Cooper:

S. 720. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Also:

By Mr. Harris:

S. 558. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 742. Judiciary.
- S. 415. Ways and Means.
- S. 399. Judiciary.
- S. 463. Local Government.
- S. 720. Judiciary.
- S. 558. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 870. To provide for a refund of a portion of the state tax paid on gasoline which is used solely for the fixed and static testing of engines manufactured or remanufactured in the State of Alabama; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 686. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment, maintenance, equipping, operation, and financing of a public law library in Lee County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in all courts within the county, excepting justice of the peace courts.

Be It Enacted by the Legislature of Alabama:

Section 1. In each case hereafter docketed in any court in Lee County, except justice of the peace courts, there shall be taxed as a part of the costs the sum of one dollar (\$1.00) as a law library fee. The costs taxed under this act shall be collected as other costs in such cases are collected, and when collected by the clerks or other collecting officers of such courts (including the register of the circuit court) shall be by them paid over to the treasurer or depository of Lee County for deposit in the county treasury. The sum so paid over to the county treasurer or depository shall be maintained in a separate fund in the county treasury, designated as the Lee County law library fund, and shall be expended by the resident judge of the circuit court of Lee County for establishing, maintaining equipping, and operating a law library in the county courthouse of Lee County. The said items of cost above referred to shall be designated as law library fees, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other items of costs. On or before the tenth day of each month, the clerks or other collecting officers of the respective courts (including the register of the circuit court) shall pay over to the county treasurer or depository all amounts collected as law library fees previously to the first day of the month. The management of the law library is vested in the resident judge of the circuit court of Lee County. All books or other property purchased with the funds produced by this act shall be the property of Lee County.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the legislature to fix, alter, and regulate the costs and charges of courts in Lee County, and the method of disbursement thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/24, 7/1, 7/8, and 7/15, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me 18 day of July, 1969.

DOROTHY W. MITCHELL,
Notary Public Lee County

Also:

By Mr. Folsom:

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act relating to the Cullman County sales and use tax law, is amended to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenues and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The

commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him in to the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of \$12,500 which shall be payable at the rate of \$1,000 per month for eleven months and \$1,500 for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational purposes. Exclusive of the \$25,000 heretofore allocated to the county governing body of Cullman County and the City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided equally between the board of education of Cullman County and the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA, CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week,

for four successive weeks and being in the issues of said newspaper of the following dates, viz: April 24, May 1, 8 & 15, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

Also:

By Mr. Folsom:

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 163, H. 168, approved March 30, 1965 (Acts of Alabama, Special Session 1965, v. 1, p. 209), an act creating the Cullman County Intermediate Court, is hereby amended to read as follows:

"Section 7. CRIMINAL PROSECUTIONS. (a) Prosecutions may be commenced in such court, upon sworn complaint made to the judge of the court in whose jurisdiction said offense is alleged to have been committed, which judge shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed in his jurisdiction and there is reasonable cause to believe that the accused is guilty or upon sworn complaint made as prescribed by Code of Alabama of 1958, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

"(b) The Circuit Solicitor of the Thirty-Second Judicial Circuit and the County Solicitor of Cullman County shall have the power and authority upon sworn complaint on probable cause to issue writs of arrest for offenses allegedly committed in the jurisdiction of the Cullman County Intermediate Court. The Circuit Solicitor is to appear at all preliminary hearings on felonies and the County Solicitor to prosecute all other criminal actions before the court.

"(c) All solicitor's fees taxed and collected in all criminal cases in the Cullman County Intermediate Court shall be paid into the general fund of the Cullman County Board of Revenue by the Clerk taxing and collecting same. Also, the clerk of the court shall deduct for the use of the county twenty percent of any sum or sums collected for and remitted to the state."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 8, 15, 22 & 29, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

Also:

By Mr. Folsom:

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Holly Pond, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Holly Pond, Alabama, and in addition thereto the following described territory, to wit:

TRACT I

The Southwest Quarter of the Southwest Quarter; the East Half of the Southwest Quarter; the West Half of the Southeast Quarter; the

South Half of the Northeast Quarter and the Southeast Quarter of Northwest Quarter of Section 10.

TRACT II

The Northwest Quarter and East Half of the Southeast Quarter of Section II.

TRACT III

The West Half of the Southwest Quarter of Section 12.

TRACT IV

The West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 13.

TRACT V

The East Half of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of Section 14.

TRACT VI

The Southeast Quarter; the West Half of the Northeast Quarter; the North Half of the Northwest Quarter of Section 15.

All in Township 10, South, Range I West of Huntsville Meridian in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for four successive weeks and being in the issues of said newspaper of the following dates, viz: May 29, June 5, 12 & 19, 1969.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 18 day of July 1969.

CHARLOTTE MILLER,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 686. Local Legislation No. 1.
- S. 698. Local Legislation No. 1.
- S. 699. Local Legislation No. 1.
- S. 700. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Leonard:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Also:

By Mr. McDermott:

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines of the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Saraland, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Saraland and in addition thereto the following described territory, to-wit:

Parcel 1. That parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at the northwest corner of said Section 15, thence run Easterly along the north line of said section a distance of 429 feet, more or less, to a point on the East right of way line of U. S. Highway 43, which point lies on the southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run South $02^{\circ}-07'-45''$ West along the East right of way line of U. S. Highway 43 a distance of 2010 feet, to a point; thence run due West a distance of 1180 feet, more or less to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 8500 feet, more or less,

to a point on the West boundary line of said Section 16; thence run Northerly along the West boundary of said Section 16 a distance of 940 feet, more or less, to the Northwest corner of Section 16; which point lies on the Southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run Easterly along the North boundary line of said Section 16 (which is along the Southern boundary of said City Limits) a distance of 5280 feet, more or less, to the Northeast corner of Section 16, which point is also the Northwest corner of said Section 15, the initial point of beginning.

Parcel 2. That parcel of land lying and being situate in irregular Section 5 and regular Section 8, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at a point on the north line of said Section 5 220 feet, more or less, Westerly from the northeast corner of said Section 5, said point being also on the centerline of U. S. Interstate Highway 65 and also on the present boundary line of the City of Saraland; thence run South along the present boundary line of the City of Saraland 640 feet, more or less, to a point on the centerline of Norton Creek; thence run South-westerly along said centerline of Norton Creek 290 feet, more or less, to a point on the Easterly right of way line of U. S. Interstate Highway 65; thence run South $33^{\circ}48'38''$ West along said Easterly right of way line of U. S. Interstate Highway 65 1580 feet, more or less, to a point at a corner of the present present corporate, limits; thence run South $46^{\circ}06'22''$ East along the present municipal boundary line a distance of 2047 feet more or less, to a point at a corner of the present corporate limits; thence run South $52^{\circ}02'30''$ West along the present municipal boundary line a distance of 1166.62 feet to a point; thence run South $41^{\circ}46'$ West along the present municipal boundary line a distance of 1402.41 feet to a point; thence run North $00^{\circ}27'$ West along the present municipal boundary line a distance of 228.85 feet to a point; thence run South $41^{\circ}44'$ West along the present municipal boundary line a distance of 414.52 feet to a point; thence run South $34^{\circ}06'$ West along the present municipal boundary line a distance of 2180 feet to a point on the centerline of U. S. Interstate Highway 65; thence run Northeasterly along said centerline of U. S. Interstate Highway 65 a distance of 7813.58 feet to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 19, 26, July 3, 10 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10 day of July 1969.

S. S. GATLIN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

S. 643. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 655. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Also:

By Messrs. McDermott, Engel, Giles, Skidmore, Folsom, Nabors, Dominick, Morrow:

S. 570. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 378. Judiciary.

S. 570. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. O'Bannon:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County

for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Colbert County, Alabama, by whatever name called, is hereby authorized to establish and maintain a Public Law Library in said County, and to accomplish said purpose, may from time to time, expend such public funds of said County, as are not required by law to be expended for any other purpose or purposes, to provide suitable housing quarters, furniture, fixtures and equipment therefor, to keep the same in a good state of maintenance and repair, and, from time to time, to enlarge, expand and improve such Library, facilities and equipment and from time to time, to provide such books, reports and periodicals for said Library as are not provided therefor out of the special fund created by this Act or otherwise, and to pay the salaries of an assistant librarian and such other personnel as may be necessary and proper to operate the same, to the extent that such salaries are not paid out of the proceeds of such special fund; which expenditures shall, from time to time, be made on warrants drawn in the usual manner, upon the County Depository payable out of appropriate fund or funds.

Section 2. In order to provide a special fund for the maintenance of said Library, there shall be taxed as costs the sum of Two and no/100 (\$2.00) Dollars in each Civil or Quasi Civil Action at Law, Suit in Equity, Criminal Case, Quasi Criminal Case, proceeding on a Forfeited Bill Bond or proceeding on a Forfeited Bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Law and Equity Court or to the Circuit Court hereinafter filed in, arising in or brought by appeal, certiorari or therewise to the Law and Equity Court or to the Circuit Court of Colbert County, Alabama which costs shall be collected as other costs in such cases are collected by the Clerk of said Courts or the Register thereof, as the case may be, and shall be paid to the County Depository of Colbert County, Alabama.

Section 3. The management and control of said Public Law Library shall be vested in a Librarian, and an Advisory Committee. Such Librarian shall be the presiding Judge of the Thirty-first Judicial Circuit. Such Advisory Committee shall consist of two members of the Colbert County Bar. The members of such Advisory committee shall be elected by the county governing body of Colbert County, Alabama, for such term as may be fixed by such governing body. In all matters involving the expenditure of moneys the concurring consent of one member of such Advisory Committee shall be necessary.

Section 4. The sums herein provided to be paid into the County Depository of Colbert County, Alabama, shall be kept in a separate fund designated as "Colbert County Public Law Library Fund" and shall be expended by the Librarian, by and with the consent of the Advisory Committee, for maintaining said Law Library. Said Librarian shall draw warrants on the County Depository for expenditures, indicating on the warrants the fund against which the warrants are drawn. Every warrant drawn by such Librarian shall be countersigned by at least one member of said Advisory Committee. Said fund shall be used primarily to lease or purchase, from time to time, under conditional sales contracts in anticipation of future revenue under this Act or otherwise as the said Librarian may deem expedient, such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of the Said Librarian be advisable, but to the extent not so used funds may otherwise be expended for the maintenance of said Library. All books or other property purchased with the funds produced by this Act shall be the property of Colbert County, Alabama, provided, however, that the said Librarian may from time to time, sell at public or private sale or exchange any such books, reports, periodicals, and personal property, and apply the proceeds from the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Librarian may accept any gift or loan of any books, reports, periodicals and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Librarian. Said Librarian may appoint such assistant Librarian and other personnel as may in his opinion be necessary or proper to operate said Library, and, to the extent that in the opinion of said Librarian the circumstances permit, may require the Clerks of said Court, and/or the Register of said Courts, and/or the official Reporters of said Circuit Court and Law and Equity Court to operate the same or to assist therein, either with or without additional compensation therefor from said fund as the said Librarian shall direct.

Section 5. The said items of cost above referred to shall be designated in said respective Courts as "Public Law Library Fee" and shall be taxed as other costs are taxed in said Courts. On or before the 10th day of each month, the Clerk or other collecting officer of the respective Courts shall pay to the said County Depository the amounts collected for said Public Law Library fees previous to the first day of the month.

Section 6. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Colbert County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicle upon the highways of this State, shall be paid into the "Colbert County Public Law Library Fund" of Colbert County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 7. At the conclusion of 3 years from the date that this act shall become effective, the funds herein above provided to be paid to the

"Colbert County Public Library Fund", shall be paid into the fine and forfeiture fund of Colbert County.

Section 8. If any sentence, clause, provision or section of this Act be declared to be invalid, the invalidity thereof shall not effect the validity of any other portion or provision of this Act. It being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of any portion hereof.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared George Morris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1969.

GEORGE MORRIS.

Sworn to and subscribed before me June 23, 1969.

MARTHA ANN NESBITT,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 593. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Adams:

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

By Mr. Jackson:

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more

than 35,000 according to the most recent federal decennial census; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of such conflict as to all counties to which this act applies.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 647. Local Legislation No. 1.

S. 676. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Pierce:

S. 580. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 580. Business and Labor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, O'Bannon, Folsom, Harris, Givhan, Lindsey, Giles, Torbert and Clark:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

Also:

By Mr. Lolley:

S. 571. To amend further Section 2 of the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, as hereto-

fore amended by Act No. 174, H. 117 of the Special Session of 1966, (Acts of Alabama 1965, p. 1208 and Acts of Alabama, Special Sess. of 1966 p. 200) which said Section 2 of said Act relates to the membership of the Farmers Market Authority.

Also:

By Mr. Morrow:

S. 679. To exempt industrial development boards now or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Morrow:

S. 680. To exempt medical clinic boards now or hereafter organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Givhan:

S. 724. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Dallas County for the Department of Public Safety.

Also:

By Mr. Morrow:

S. 768. To except bonds issued by municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 515. Transportation.
- S. 571. Agriculture.
- S. 679. Local Government.
- S. 680. Health.
- S. 724. Ways and Means.
- S. 768. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

Also:

By Mr. Torbert:

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Also:

By Mr. Torbert:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

Also:

By Mr. Torbert:

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Also:

By Mr. Goodwyn:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 57. Judiciary.

S. 58. Judiciary.

S. 59. Judiciary.

S. 60. Judiciary.

S. 237. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 553. To regulate further judgments in actions and proceedings to enforce payment of alimony awarded pursuant to duly rendered decrees providing for continuous maintenance through payment of alimony in periodic installments, limiting the period of arrearage for which judgments may be rendered.

Also:

By Mr. Branyon:

S. 767. Proposing an amendment to the Constitution of Alabama relating to Pickens County, and ordering an election thereon.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 553. Judiciary.

SENATE MESSAGE

S. 767. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Morrow:

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 205. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Pelham:

S. 565. To declare the public policy of the State of Alabama with respect to all laws governing seafoods, aquatic life and salt water matter; to create the Alabama Marine Conservation Commission, to prescribe its authority, jurisdiction, powers and functions and to provide for the appointment, qualifications, terms and compensation of its members; to authorize the commission to appoint an advisory council; to abolish the Division of Seafoods in the State Conservation Department and to transfer its authority, jurisdiction, duties, property and funds including the control of the seafoods fund to said commission; to authorize the appointment of administrative personnel and other employees subject to the state merit system laws; to provide for the licensing and taxing of boats and vessels used in taking or catching seafoods and of persons, firms and corporations dealing in seafoods; to provide for the cultivation of oyster reefs and the leasing of oyster bottoms; to regulate and fix requirements for contracts for the sale or removal of shells; to provide for the disposition and use of all funds accruing to the commission; to provide for the enforcement of this act and to authorize certain municipalities to aid and cooperate therein; to prescribe penalties for violations and to provide for appeals from regulations and decisions; and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 565. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 437. To amend further Section 21 of Title 11, Code of Alabama (1940) which relates to fees allowed Clerks of Circuit Courts.

Also:

By Mr. Dominick:

S. 443. To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

Also:

By Messrs. Gilmore, Pierce, Vacca, Morrow, Childs, Bailes, Giles, Cooper, Folsom, Albea, Nabors, McDermott and Stone:

S. 569. To provide for purchasing and furnishing stateowned textbooks for certain state institutions.

Also:

By Mr. Skidmore:

S. 622. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

Also:

By Mr. Jackson:

S. 779. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 437. Judiciary.
- S. 443. Transportation.
- S. 569. Transportation.
- S. 622. Transportation.
- S. 779. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 677. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 15. To amend Act No. 549, S. 2, approved August 23, 1965 (Acts, 1965, V. 1, p. 811), the Uniform Commercial Code, Codified as Title 7 A. Commercial Code.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 15. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Pierce:

S. 242. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 242. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

By Mr. Pierce:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 239 with a suggested Executive Amendment.

Respectfully submitted,
ROBERT M. CLECKLER,
Executive Secretary.

July 24, 1969

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, Senate Bill No. 239 without my approval and respectfully suggest that said Senate Bill be amended as follows:

Immediately after Section 11 of said bill add Section 11(a) to read as follows:

"Section 11(a). The provisions of this act shall not apply to the sale of diseased, storm or fire damaged timber, nor shall it apply to timber cut on rights-of-way or easements. Such timber may be sold in such manner as the Director of Conservation deems in the best interest of the State provided, however, no sale of diseased timber shall be made until the State Forester shall certify that such timber is diseased and such certification shall be in written form and filed with the Director of Finance."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,
ALBERT P. BREWER,
Governor.

July 24, 1969

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 239, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 26, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, S. B. 239, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 239, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Fine	Holladay	Nettles
Bassett	Foshee	House	Neville
Berryman (W)	Gafford	Jackson (F)	Owen (Baldwin)
Brannan	Garrett	Jackson (T)	Owens (W)
Brassell	Gloor	Lemley	Pearson
Collier	Graham	Lybrand	Shumate
Collins (C)	Grainger	Lyons	Snell
Cook (Coffee)	Hain	Mathews	Springer
Crawford	Hardin	Mays	Steagall
Culver	Harper	McCorquodale	Stembridge
Dill	Harris	McDonald	Stubbs
Dobbs	Haygood	McElhaney	Tuck
Doss	Headley	McLain	Watkins
Drake	Higginbotham	Melton	Williams
Edington	Hill	Merrill	Wright
Ellis	Hobbie	Money	Young

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Which was a majority of the whole number elected to the House.

And said bill:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Drake	Harris	Mathews
Bassett	Edington	Haygood	Mays
Berryman (W)	Ellis	Headley	McCorquodale
Brannan	Fine	Higginbotham	McDonald
Brassell	Foshee	Hill	McElhaney
Collier	Gafford	Hobbie	McLain
Collins (C)	Garrett	Holladay	Melton
Cook (Coffee)	Gloor	House	Merrill
Crawford	Graham	Jackson (F)	Money
Culver	Grainger	Jackson (T)	Nettles
Dill	Hain	Lemley	Neville
Dobbs	Hardin	Lybrand	Owen (Baldwin)
Doss	Harper	Lyons	Owens (W)

Pearson
Shumate
Snell

Springer
Steagall
Stembridge

Stubbs
Tuck
Watkins

Williams
Wright
Young

—64

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1, as thus amended by the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION

By Mr. Stone:

S. J. R. 68. WHEREAS, the Little River Canyon is one of the extraordinary natural resource features of the State of Alabama, and

WHEREAS, that portion of the State of Alabama in which the Little River is situated exists in proximity to major population and commercial centers of the Southeast, and

WHEREAS, due to a rising standard of living, increased mobility, and shorter working hours, the recreational demands of the citizens of the State of Alabama and of neighboring States are increasing, and

WHEREAS, the Little River exists in an unpolluted and near pristine condition, and

WHEREAS, rivers flowing unimpeded by impoundment and diversions are becoming a rare exception in the State of Alabama and nationwide, and

WHEREAS, the historical values related to the Little River and dating from Hernando DeSoto's exploration in the 16th century are of increasingly wide public interest, and

WHEREAS, many of the extraordinary scenic and natural attributes of the Little River from State Highway 35 downstream through Little River Canyon Mouth County Park are on lands now owned by the State of Alabama, and are included within the DeSoto State Park, and

WHEREAS, there is concurrence in the views of private citizens of Cherokee and DeKalb Counties and conservation and recreation agencies that the values of the Little River, its canyon and surrounding environment, comprise an outstanding and rare natural phenomenon of immeasurable wealth to the citizens of the State of Alabama and their posterity.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is incumbent upon the people of the State of Alabama to perpetuate and preserve all or portions of the Little River in its wild, scenic, and unimpaired condition as a unique Alabama resource for outdoor recreation purposes.

BE IT FURTHER RESOLVED, that it shall be the public policy of the State of Alabama to protect the Little River resource from deterioration of its irreplaceable natural features and qualities.

BE IT FURTHER RESOLVED, that it shall be the public policy of the State of Alabama to recognize recreation and fish and wildlife as important legal, beneficial uses of the Little River resource.

BE IT FURTHER RESOLVED, that litter, garbage, car bodies, or refuse of any kind shall not be deposited within the canyon of the Little River.

BE IT FURTHER RESOLVED, that those State of Alabama lands and reaches of the river within the DeSoto State Park and south of the State Highway 35 bridge through which the Little River flows, be designated a State Wild and Scenic River.

BE IT FURTHER RESOLVED, that appropriate State of Alabama agencies are directed to further study, assess and evaluate the Little River resource, to determine and make recommendations to the Governor and the State Legislature for its preservation and compatible uses. A report of the findings and recommendations shall be made to the legislature by July 1, 1970. The recommendations shall be accompanied by a report showing the proposed area, classification, the characteristics which qualify the river or section of river for designation as a Wild and Scenic River, ownership and use of land in the area, the State agency by which the area should be administered, and the estimated costs of acquiring fee title and scenic easements and of developing and administering the area as a Wild and Scenic River. Such studies may be conducted in cooperation with appropriate agencies of the local government and the United States.

BE IT FURTHER RESOLVED, that it be determined which recreational activities including but not limited to hiking, camping, boating, fishing, sightseeing, and hunting, together with necessary support facilities are consonant with public use and the perpetuation of the existing character of the Little River.

BE IT FURTHER RESOLVED, that appropriate State of Alabama agencies confer with the owners of real property and rights adjacent to or related to the Little River resource to determine what cooperative actions can be taken to protect and enhance and provide for compatible public use of this important natural resource.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Meade, the rules were suspended and the House concurred in and adopted the S. J. R. 68 set out in the above and foregoing Message from the Senate.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker	Ellis	House	Owens (W)
Agee	Fine	Jackson (F)	Pearson
Bank	Foshee	Jackson (T)	Pennington
Bassett	Graham	Lemley	Robertson
Beck	Grayson	Mathews	Snell
Berryman (W)	Hain	Mays	Stembridge
Brannan	Hardin	McElhaney	Tuck
Brassell	Harper	McLain	Waggoner
Collier	Harris	Meade	Watkins
Crawford	Haygood	Melton	Williams
Culver	Higginbotham	Merrill	Wood
Dill	Hobbie	Money	Wright
Drake	Holladay	Owen (Baldwin)	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 69. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the library at Patrick Henry State Junior College be named and known as John D. Forte Library, as a fitting tribute to John Dennis Forte who served with honor and distinction as Superintendent of Education of Monroe County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 69 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 70. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Science Building at Patrick Henry State Junior College be named and known as Ernest Stone Hall, as a fitting tribute to State Superintendent of Education Dr. Ernest Stone, who has so dedicatedly served the State of Alabama in the promotion and advancement of education, and who,

in particular, has given valuable leadership and assistance to Patrick Henry State Junior College.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 70 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dominick, McCarley, Bailes, Hawkins, Vacca and Radney:

S. J. R. 42. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Secretary of the Senate and Clerk of the House are hereby authorized, directed and required to cause to be installed in both the Senate Chamber and the House Chamber such additional, different or improved lighting equipment as may be necessary to provide adequate lighting throughout each of such chambers; however, all such work and all equipment and supplies used in connection therewith shall be purchased on a competitive bid basis and contract therefor shall be let pursuant to the provisions of Act No. 343, H. 71 of the Regular Session of 1957, as amended and supplemented.

BE IT FURTHER RESOLVED that the expensees incurred in carrying out the provisions hereof shall not exceed fifteen thousand dollars and shall be paid out of funds appropriated for the use of the Legislature.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 42 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dominick and Giles:

S. J. R. 56. WHEREAS, the City of Huntsville, Alabama, is known and recognized as the "Space Capital of the World," because of the outstanding developments in space travel made there; and

WHEREAS, the City of Huntsville, Alabama, has not been the recipient of a commemorative postage stamp in recognition of its achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we call on the United States Post Office Department to issue a 10¢ airmail commemorative postage stamp, commemorating the Apollo 11 moon landing flight, in the City of Huntsville, Alabama, at a time to be determined by said Post Office Department.

BE IT FURTHER RESOLVED That the appropriate authorities take note of the fact that the Saturn booster rocket which made all the Apollo flights possible is a Huntsville development, and that the scientists and workers of said city deserve recognition along with other space heroes; and

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the President of the United States, the Vice President of the United States, the Postmaster General of the United States, the Director of the Division of Philately—U. S. Post Office Department, each member of our U. S. Senate and Congressional delegation, and the Huntsville Chamber of Commerce.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 56 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Branyon:

S. J. R. 55. WHEREAS Judge J. M. Moore by his assiduity exercised a considerable influence in securing the construction of Highway 159 from Fayette in Fayette County to the Pickens County line; and

WHEREAS Highway 159 is a vital cog in the state's highway system as well as a contributing factor to the beautification of our fair countryside; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That so much of Highway 159 as extends from Fayette in Fayette County to the Pickens County line be designated "The J. M. Moore Highway," with the appropriate road signs to be erected by the Highway Department.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to the family of Judge J. M. Moore.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 55, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION

By Messrs. Morrow, Childs, Dominick, Vacca, Bailes, Hawkins, Skidmore, Harris, Gilmore:

S. J. R. 57. Authorizing The Board of Trustees of the University of Alabama to designate the new student center building on the main campus of the University of Alabama as "Ferguson Student Center."

WHEREAS, the University of Alabama will soon begin construction of a building on the main campus to be used as a new student center; and

WHEREAS, Mr. Hill Ferguson served for forty years on the University of Alabama Board of Trustees and its Executive Committee, many of those years as Chairman, a role in which he shared responsibility for all major decisions taken during this long period of this University's development; and

WHEREAS, Mr. Ferguson's contributions to the institution can be measured from the time in 1905 when, as President of the Society of of the Alumni, he inspired and led the Greater University Campaign which resulted in the construction of Comer, Morgan, and Smith Halls; and

WHEREAS, through the tenures of eight presidents, all of whom he helped to select, he combined the enthusiasm of his undergraduate experience and the loyalty of an alumnus who never missed a Commencement in sixty-five years, with the practical vision of a businessman in diligent promotion of the best interests of the University; and

WHEREAS, it is entirely fitting that this new building bear the name of this great man;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Legislature of Alabama, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new student center soon to be constructed on the main campus of the University of Alabama as "Ferguson Student Center" in honor of Mr. Hill Ferguson.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 57 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: McCarley, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca:

S. J. R. 67. WHEREAS, It has been learned to our great sorrow that Mrs. Mildred T. McDow, wife of former Senator James McDow, died last night, August 4, 1969, after an extended illness; and

WHEREAS, Mrs. McDow was a devoted wife and mother, a devout Christian, an active worker in the Baptist Church in Columbiana, and a prominent civic leader in the community; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we extend our profound and heartfelt sympathy to Senator McDow and his family in their great loss.

BE IT FURTHER RESOLVED That copies of this resolution be sent to Senator McDow and his children: James Thomas, Jr., Richard Henry, and Patricia Susan.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the rules were suspended and the House concurred in and adopted the S. J. R. 67 set out in the above and foregoing Message from the Senate.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Grainger and Pennington, unanimous consent was granted to have their names removed as co-sponsors of the bill, H. 818.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the House amendment to the Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

And said Bill, S. B. 182, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 182

We, your committee of conference appointed to reconcile the disagreement between the two Houses concerning S. B. 182, have met and considered the bill and the House amendment thereto and have agreed to the following report:

1. We recommend that the Senate accept the House amendment.
2. We further recommend that the following amendments be adopted:

In Section 1, at the end thereof, add the following: ; nor shall the provisions of this section apply to examiners or other persons designated by the Superintendent of Insurance to examine or cause to be examined the domestic insurance corporations qualified in this state when the expense incurred by such persons shall be paid by or collected or received from such corporations examined under the provision of Title 28, Section 54(1).

Delete paragraph 2 of Section 1 and insert in lieu thereof the following:

No travel allowance shall be paid for a trip of less than six hours' duration. For travel which does not require an overnight stay, the traveler shall be paid a meal allowance of two dollars and seventy-five cents for a trip of from six to twelve hours' duration and for travel in excess of twelve hours duration the traveler shall be paid one such meal allowance and one-fourth of the per diem allowance.

Also, in Section 4 of S. B. 182 delete from the bill the repealer reference to Title 28, Section 47(8) and (9).

3. We recommend further that the bill as thus amended be passed by both Houses.

Respectfully submitted,

Conferees on the part of the Senate

J. J. Pierce

Jack Giles

Alton L. Turner

Conferees on the part of the House

James W. Cameron

Hugh D. Merrill

Curtis Springer

SENATE MESSAGE

On motion of Mr. House, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 182, which report is set out in the above and foregoing Message from the Senate.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lyons	Sessions
Bassett	Foshee	Malone	Slate
Beck	Garrett	Mays	Smith
Berryman (W)	Graham	McCorquodale	Snell
Bolton	Grayson	McElhaney	Steagall
Brassell	Hain	McLain	Stembridge
Collier	Hardin	Meade	Tuck
Cook (Coffee)	Harris	Melton	Watkins
Crawford	Haygood	Merrill	Weeks
Culver	Headley	Money	Williams
Dobbs	Higginbotham	Nettles	Wright
Doss	Holladay	Neville	Young
Downing	Jackson (F)	Owen (Baldwin)	

And said bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lyons	Sessions
Bassett	Foshee	Malone	Slate
Beck	Garrett	Mays	Smith
Berryman (W)	Graham	McCorquodale	Snell
Bolton	Grayson	McElhaney	Steagall
Brassell	Hain	McLain	Stembridge
Collier	Hardin	Meade	Tuck
Cook (Coffee)	Harris	Melton	Watkins
Crawford	Haygood	Merrill	Weeks
Culver	Headley	Money	Williams
Dobbs	Higginbotham	Nettles	Wright
Doss	Holladay	Neville	Young
Downing	Jackson (F)	Owen (Baldwin)	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nabors:

S. J. R. 58. WHEREAS, our knowledge of the course of man on the planet Earth indicates intermittent periods of the striving for accomplishment, a search for truth, a yearning for beauty, a hope for immortality; and

WHEREAS, the record reveals that of the billions of people who have existed, only a few have been privileged to enjoy the results of the higher virtues of man, but rather most have suffered from the frailties of his fellows including greed, avarice, envy, pride, lust and ignorance; and

WHEREAS, we, who are now fortunate to be a member of the population of this planet, have observed the marvels of the application of abstract knowledge in the laboratories and workshops of the nations; and

WHEREAS, we have witnessed by sound and sight the breaking of the shackles of the gravity of earth and of its satellite, the moon, thus freeing man from the restrictions of mass, enabling him to soar in limitless space; now, therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Administrator, the officials, the staff, the employees and the private contractors of the National Aeronautics and Space Administration to-

gether with Astronauts Armstrong, Aldrin and Collins be and are hereby commended for the extraordinary technical accomplishment of demonstrating the ability of man in escaping from earth the bounds of physical laws, with the implication that all parliaments and other social institutions are challenged to press for the betterment of life on earth; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Administrator of the National Aeronautics and Space Administration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pennington, the rules were suspended and the House concurred in and adopted the S. J. R. 58 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

SENATE JOINT RESOLUTION

By Messrs. Skidmore, Goodwyn, McCarley, Albea, Nabors, O'Bannon, Gilmore, Harris, Carr, Branyon, Cooper, Lolley, Pelham, Turner, Morrow, Bailes, Clark, Folsom, Giles and Torbert:

S. J. R. 52. Authorizing The Board of Trustees of the University of Alabama to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction of the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower."

WHEREAS, Dr. and Mrs. Frank A. Rose will leave the University of Alabama on September 5, after a twelve-year tenure of devoted service to this great institution; and

WHEREAS, the administration of Frank A. Rose as President of the University has provided the University with its period of greatest growth and for which the citizens of Alabama will forever be indebted; and

WHEREAS, Tommye Stewart Rose has served as the University's First Lady during this period, gracing the President's Mansion with charm and dignity, and substantially contributing to the success of the Rose administration.

NOW, THEREFORE, BE IT RESOLVED by the Senate of Alabama, the House of Representatives concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the new administration building on the Tuscaloosa campus of the University of Alabama as "Frank Anthony Rose Hall" and the new thirteen-story married student apartment building also under construction on the Tuscaloosa campus of the University of Alabama as "Tommye Stewart Rose Tower" in honor of Dr. and Mrs. Rose.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended and the House concurred in and adopted the S. J. R. 52 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Skidmore:

S. J. R. 61. WHEREAS Anabel Rice Warren, of Tuscaloosa, wife of retired Circuit Judge W. C. Warren passed away on July 23, 1969, and

WHEREAS Mrs. Warren was much respected and well beloved in her community and contributed greatly to the career of her distinguished husband who served the state as a senator as well as a jurist, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Anabel Warren and extend our deepest sympathy to her family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Judge W. C. Warren.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended and the House concurred in and adopted the S. J. R. 61 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Turner, McDermott, Stone, Nabors:

S. J. R. 74. WHEREAS, The Honorable Richard Lee Holmes, Director of the Alabama Department of Industrial Relations, has been nominated by the Montgomery Jaycees to be considered as one of Alabama's Four Outstanding Young Men; and

WHEREAS, this outstanding individual has made many outstanding contributions to his profession as an attorney, to the department which he heads and the State of Alabama through his faithful and dedicated service; and

NOW, THEREFORE BE IT RESOLVED by the Senate of the State of Alabama, the House of Representatives thereof concurring that we commend the Montgomery Jaycees on their wise judgment in nominating a person of exemplary character, and one who richly deserves this recognition because of his unending service to his fellowmen:

BE IT FURTHER RESOLVED that the Alabama Legislature extend to Mr. Holmes our congratulations on his selection to represent Montgomery in this competition, and it is our sincere hope that he will be among the four finalists:

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Holmes and to the Montgomery Jaycees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the rules were suspended and the House concurred in and adopted the S. J. R. 74 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Torbert, Pierce and Goodwyn:

S. J. R. 39. WHEREAS, the State of Alabama is in great need of more effective planning for the coordinated development of its urban and rural areas; and

WHEREAS, the State of Alabama has a critical need for pertinent information necessary for all planning decisions and for personnel knowledgeable in the latest concepts and trends in the planning process, and

WHEREAS, recognizing the needs of the State for a coordinated effort in planning, research and public service, Auburn University has established the "Center for Urban and Regional Planning," agreeing to support the Center with its many unique and varied planning activities already in existence; and

WHEREAS, the Center shall have as its purpose the focusing of the research and public service competencies and facilities of the University toward cooperation and assistance to state and local public needs in the development and review of comprehensive plans, programs, and regulations for the orderly physical growth and development of urban and rural areas, with the objective of promoting the economic, social and general welfare of such areas; and

WHEREAS, the Center will cooperate with all institutions of higher education in Alabama, and seek to combine the resources of all colleges and universities in urban and regional planning, thus rendering greater service, productivity and efficiency for the people of our State; and

WHEREAS, it is the consensus of the Legislature of Alabama that the Administration of Auburn University has done the citizens of our State a great service by establishing the Center for Urban and Regional Planning;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Board of Trustees and the Administration of Auburn University are hereby commended and congratulated for accepting the responsibility for establishing and operating the Center for Urban and Regional Planning.

BE IT FURTHER RESOLVED that the University is urged and requested to develop and expand this Center to meet the future needs of our great State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ellis, the rules were suspended and the House concurred in and adopted the S. J. R. 39 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

Also:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

Also:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Also:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the House concurred in and adopted the Senate amendment to the bill, H. 556, said Senate amendment being as follows:

Amend House Bill 556 by inserting at the end of Section 1 thereof the following sentence: "Provided, however, this Act shall not apply to purchases of any commodity for which an open public market is

maintained, including, but not limited to grains and broom corn, if such commodity is purchased at a price not higher than the prevailing open market price."

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Adwell	Downing	Jones	Pearson
Agee	Ellis	Laxson	Perloff
Bank	Fine	Lemley	Robertson
Bassett	Foshee	Lybrand	Sessions
Beck	Garrett	Malone	Shumate
Berryman (W)	Graham	Mays	Slate
Bowers	Grainger	McCorquodale	Starnes
Brannan	Grayson	McElhaney	Steagall
Brassell	Hain	McLain	Stubbs
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Watkins
Collins (W)	Harris	Merrill	Weeks
Cook (Coffee)	Haygood	Money	Williams
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crawford	Holladay	Neville	Yeilding
Culver	Jackson (F)	Owen (Baldwin)	Young
Dill			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the House concurred in and adopted the Senate amendment to the bill, H. 558, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 52, Section 528 is hereby amended so as to read as follows:

Section 528. There shall be at the Alabama Institute for Deaf and Blind a separate department of adult blind and deaf. Legislative appropriations for the department shall be made separate and apart from the legislative appropriations made for the support and operation of the institute. The department shall have authority to establish and to operate a library service for blind, visually handicapped, deaf, or severely handi-

capped persons; and the department is hereby designated as the official agency to operate a regional library for the blind, visually handicapped, deaf, and severely handicapped.

Section 2. Section 530 of Title 52, Code of Alabama 1940, is hereby amended so as to read as follows:

Section 530. It shall be the duty of the Alabama Institute for Deaf and Blind, through its Adult Department, to maintain a bureau of information, the object of which shall be to aid the blind or deaf, whose training is not otherwise provided for, in finding employment, in developing home industries, and in marketing their products. It shall in its discretion enter into a cooperative agreement with the state board of education to expend funds under the civilian rehabilitation act for special vocational training, materials, tools, and books for use as a means in rehabilitating blind or deaf persons who may be in need of such services; and it may, through the employment of teachers, give home instruction to blind persons, provided that it shall not undertake the permanent support or maintenance of any blind person. The Adult Department is hereby authorized within its discretion, and subject to the control of the board of trustees, to use any part of the fund appropriated herein to purchase materials as a means of promoting home industries; such material to be used in the training of blind or deaf persons, after training, all materials supplies to be converted into marketable products—the cost of this material to be credited to the fund provided under this article for further use in assisting blind or deaf persons in establishing and maintaining home industries. Records shall be kept showing the purchase of all equipment and supplies and the part of the expenditure of same made for training. In order that the provisions of this section may be made effective the Adult Department is hereby authorized to cooperate with other agencies in the state that may be interested in blind or deaf relief in establishing a sales agency for products made by the blind or deaf. The Adult Department, subject to the control of the board of trustees, may further cooperate with the state board of education through the rehabilitation service to provide at its discretion employment tools, supplies, and materials necessary in the rehabilitating of blind or deaf persons, not otherwise provided for in this article, and may expend funds provided herein for physical restoration of indigent blind or deaf persons when this is necessary to their rehabilitation. The director of the department of adult blind and deaf, the director of vocational rehabilitation, and the director of vocational education, jointly shall share the responsibility for developing policies, procedures and budgets governing operation of the adult facilities for carrying out a program of services for the adult deaf and blind, but full and final authority with respect to admission of clients, operation of programs, and related activities shall be vested exclusively in the director of the department of adult blind and deaf; provided, however, that budgets involving funds from the State Department of Education and policies relating thereto shall be subject to the approval of the State Superintendent of Education.

Section 3. This Act shall take effect immediately upon its enactment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Brannan	Crawford	Foshee
Agee	Brassell	Culver	Garrett
Bank	Collier	Dill	Graham
Beck	Collins (C)	Dobbs	Grainger
Berryman (W)	Collins (W)	Downing	Grayson
Bowers	Cook (Coffee)	Fine	Hain

Hardin	Lemley	Nettles	Starnes
Harper	Lybrand	Neville	Steagall
Harris	Malone	Owen (Baldwin)	Tuck
Haygood	Mays	Owens (W)	Watkins
Higginbotham	McCorquodale	Pearson	Weeks
Hill	McElhaney	Sessions	Williams
Holladay	McLain	Shumate	Wright
Jackson (F)	Meade	Slate	Yeilding
Jackson (T)	Merrill	Smith	Young
Jones	Money		

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relating to House Bill No. 243.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

July 8, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 243 without my approval.

I respectfully suggest that the second paragraph of Section 1, amending Section 7, be amended to read as follows:

"The Cullman County Commission may provide and maintain necessary office space, including furniture, equipment, supplies, telephone service and such office personnel as may be necessary for a county highway engineer's office in the county courthouse, the cost therefor shall be paid from county funds other than county or state funds allocated to the Alabama Highway Department for Cullman County roads and bridges. All personnel employed as provided herein shall be subject to supervision and control of the Alabama Highway Department."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

July 8, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Drake, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 243, said Governor's amendment being set out in the above and foregoing Message from the Governor.

REGULAR SESSION

1935

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Owens (W)
Agee	Downing	House	Pearson
Bank	Drake	Jackson (F)	Robertson
Bassett	Ellis	Jackson (T)	Sessions
Beck	Fine	Jones	Shumate
Berryman (W)	Foshee	Lemley	Slate
Blanton	Garrett	Lybrand	Starnes
Brannan	Gloor	Malone	Steagall
Brassell	Graham	Mays	Stubbs
Cherner	Grainger	McElhaney	Tuck
Collier	Grayson	McLain	Watkins
Collins (C)	Hain	Meade	Weeks
Collins (W)	Hardin	Merrill	Williams
Cook (Coffee)	Harper	Money	Wright
Cook (Jefferson)	Harris	Nettles	Yeilding
Culver	Haygood	Neville	Young
Dill	Headley	Owen (Baldwin)	

—67

Which was a majority of the whole number elected to the House.

And said bill:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37, an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Owens (W)
Agee	Downing	House	Owens (W.E.)
Bank	Drake	Jackson (F)	Pearson
Bassett	Ellis	Jackson (T)	Robertson
Beck	Fine	Jones	Sessions
Berryman (W)	Foshee	Lemley	Shumate
Blanton	Garrett	Lybrand	Slate
Brannan	Gloor	Malone	Starnes
Brassell	Graham	Mays	Steagall
Cherner	Grainger	McElhaney	Stubbs
Collier	Grayson	McLain	Tuck
Collins (C)	Hain	Meade	Watkins
Collins (W)	Hardin	Merrill	Weeks
Cook (Coffee)	Harper	Money	Williams
Cook (Jefferson)	Harris	Nettles	Wright
Culver	Haygood	Neville	Yeilding
Dill	Headley	Owen (Baldwin)	Young

—67

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning

House Bill No. 810 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 7, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 810 without my approval.

I respectfully suggest that subsection (c) of Section 6 of said bill be deleted and substitute therefor the following:

"(c) To acquire by purchase, gift, grant, bequest, devise or through condemnation proceedings exercised by the county or municipal governing body of the respective counties and cities of the district against such lands or rights-of-way as may be necessary; provided, however, acquisition through condemnation proceedings is not authorized against lands or rights-of-way otherwise devoted to public use."

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 7, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Downing, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 810, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Neville
Agee	Downing	Holladay	Owen (Baldwin)
Bank	Edington	House	Owens (W)
Bassett	Ellis	Jackson (F)	Paulk
Beck	Fine	Jackson (T)	Pearson
Berryman (W)	Foshee	Jones	Sessions
Blanton	Garrett	Laxson	Shumate
Brannan	Gloor	Lemley	Steagall
Brassell	Graham	Lybrand	Stembridge
Cherner	Grainger	Malone	Stubbs
Collier	Grayson	Mays	Tuck
Collins (C)	Hain	McElhaney	Watkins
Collins (W)	Hardin	Meade	Weeks
Cook (Jefferson)	Harper	Melton	Williams
Crawford	Harris	Merrill	Wright
Culver	Haygood	Money	Yeilding
Dill	Headley	Nettles	Young

Which was a majority of the whole number elected to the House.

And said bill:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Neville
Agee	Downing	Holladay	Owen (Baldwin)
Bank	Edington	House	Owens (W)
Bassett	Ellis	Jackson (F)	Paulk
Beck	Fine	Jackson (T)	Pearson
Berryman (W)	Foshee	Jones	Sessions
Blanton	Gafford	Laxson	Shumate
Brannan	Gloor	Lemley	Steagall
Brassell	Graham	Lybrand	Stembridge
Cherner	Grainger	Malone	Stubbs
Collier	Grayson	Mays	Tuck
Collins (C)	Hain	McElhaney	Watkins
Collins (W)	Hardin	Meade	Weeks
Cook (Jefferson)	Harper	Melton	Williams
Crawford	Harris	Merrill	Wright
Culver	Haygood	Money	Yeilding
Dill	Headley	Nettles	Young

—68

Which was a majority of the whole number elected to the House.

And the bill:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Was taken up.

Mr. Stubbs offered the follownig substitute to the bill, S. 215:

A BILL
TO BE ENTITLED
AN ACT

Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 31,500 nor more than 32,200 according to the most recent federal decennial

census, in which retirement systems have heretofore been established for certain county employees, all county officers, their deputies and employees shall be eligible for membership in said retirement systems. Any such officer, or deputy officer or employee of such officers shall also become eligible immediately for benefits computed upon the same basis as provided for county employees who became members of the system upon the date of the establishment thereof. All time served by any such officer, deputy or employee of such officer in their respective employments prior to the effective date of this Act shall be deemed continuous service to the county and shall be counted as such when computing benefits based on the number of years of such service.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Pearson
Agee	Fine	Laxson	Pennington
Bank	Foshee	Lemley	Perloff
Bassett	Garrett	Lybrand	Pruitt
Beck	Gloor	Lyons	Robertson
Berryman (W)	Graham	Malone	Sessions
Brannan	Grainger	Mays	Shumate
Brassell	Grayson	McCorquodale	Slate
Brown	Hain	McElhaney	Snell
Collier	Hardin	McLain	Starnes
Collins (C)	Harper	Meade	Steagall
Collins (W)	Harris	Meeks	Stembridge
Cook (Coffee)	Haygood	Melton	Stubbs
Crawford	Headley	Merrill	Tuck
Culver	Higginbotham	Money	Watkins
Dill	Hill	Nettles	Weeks
Dobbs	Holladay	Neville	Williams
Doss	House	Owen (Baldwin)	Wright
Downing	Jackson (F)	Owens (W)	Yeilding
Edington	Jackson (T)	Paulk	Young

—80

And the bill, S. 215, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Collier	Dill
Agee	Brannan	Collins (W)	Dobbs
Bank	Brassell	Cook (Coffee)	Doss
Bassett	Brown	Crawford	Downing
Beck	Cherner	Culver	Edington

Ellis	Hill	Meade	Sessions
Fine	Holladay	Melton	Shumate
Foshee	House	Merrill	Slate
Garrett	Jackson (F)	Money	Snell
Gloor	Jackson (T)	Nettles	Starnes
Graham	Jones	Neville	Steagall
Grainger	Laxson	Owen (Baldwin)	Stembridge
Grayson	Lemley	Owens (W)	Tuck
Hain	Lybrand	Paulk	Watkins
Hardin	Lyons	Pearson	Weeks
Harper	Malone	Pennington	Williams
Harris	Mays	Perloff	Wright
Haygood	McCorquodale	Pruitt	Yeilding
Headley	McElhaney	Robertson	Young
Higginbotham	McLain		

—78

And the bill:

H. 1041. To authorize each county in this state in which there is now or hereafter levied any privilege license or excise tax the proceeds of which tax may be used in whole or in part for the acquisition, construction, improving, enlarging, renovating, replacing, equipping, operating, maintaining and repairing public hospitals, public clinics, public health centers and related public health facilities in such county, whether any such hospital, clinic, center or facility is owned by the County or a corporation heretofore or hereafter organized or created pursuant to authorization or determination of the governing body of the County, or for one or more of such purposes, to issue to the extent of its constitutional debt limit, interest bearing warrants, certificates of indebtedness or other evidences of indebtedness (other than bonds to which the provisions of Section 222 of the Constitution of Alabama of 1901 apply) for any one or more of the purposes to which the proceeds of such tax may be applied, to provide that the governing body of the County issuing any such warrants, certificates of indebtedness or other evidences of indebtedness shall pledge and use or cause to be pledged and used for the payment of the principal of and interest on such obligations and to provide a reserve fund therefor, so much as may be necessary for such purposes of the proceeds of such tax, to provide that the proceedings authorizing their issuance may provide that such warrants, certificates of indebtedness or other evidence of indebtedness shall evidence the general obligation of the County by which they are issued, in which case the full faith and credit of the County shall be irrevocably pledged for the payment of the principal thereof and the interest thereon, in addition to the pledge of said tax, or in the alternative, that such proceedings may provide that such warrants, certificates of indebtedness and other evidences of indebtedness shall be payable solely from the proceeds of said tax, in which case the full faith and credit of the County shall not be pledged to the payment thereof and the obligation of the County to pay the same shall be limited to the tax so pledged; to provide for the public sale of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide for the refunding of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide that such warrants, certificates of indebtedness or other evidences of indebtedness shall be legal investments for executors, administrators, trustees and other fiduciaries and to provide that insofar as the provisions thereof may be inconsistent with any other provisions of law, the provisions thereof shall control and declaring that the provisions of Section 78 of Title 12, Alabama Code of 1940 shall not be applicable to warrants, certificates of indebtedness or other evidences of indebtedness issued under the provisions thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Adwell	Edington	Jones	Paulk
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Garrett	Lyons	Pruitt
Berryman (W)	Gloor	Manley	Sessions
Brannan	Graham	Mays	Shumate
Brassell	Grainger	McCorquodale	Snell
Brown	Grayson	McElhaney	Starnes
Cherner	Hain	McLain	Steagall
Collier	Hardin	Meade	Stembridge
Collins (C)	Harris	Meeks	Waggoner
Collins (W)	Haygood	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Weeks
Crawford	Higginbotham	Money	Williams
Culver	Hill	Nettles	Wright
Dill	Holladay	Neville	Yeilding
Dobbs	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 1051. To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pennington
Adwell	Ellis	Laxson	Perloff
Agee	Fine	Lemley	Pruitt
Bank	Foshee	Lyons	Robertson
Bassett	Garrett	Manley	Sessions
Beck	Gloor	Mays	Shumate
Berryman (W)	Graham	McCorquodale	Snell
Brannan	Grainger	McElhaney	Starnes
Brassell	Grayson	McLain	Steagall
Cherner	Hain	Meade	Stembridge
Collier	Hardin	Meeks	Stubbs
Collins (C)	Harris	Melton	Tuck
Collins (W)	Haygood	Money	Waggoner
Cook (Coffee)	Headley	Nettles	Watkins
Crawford	Higginbotham	Neville	Weeks
Culver	Hill	Owen (Baldwin)	Williams
Dill	Holladay	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Downing	Jackson (T)	Pearson	Young

—76

And the bill:

H. 1015. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Perloff
Adwell	Ellis	Lybrand	Pruitt
Agee	Fine	Lyons	Robertson
Bank	Foshee	Manley	Sessions
Bassett	Gloor	Mays	Shumate
Beck	Graham	McCorquodale	Snell
Berryman (W)	Grainger	McElhaney	Starnes
Brannan	Grayson	McLain	Steagall
Brassell	Hain	Meade	Stembridge
Cherner	Harper	Meeks	Stubbs
Collier	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Watkins
Cook (Coffee)	Higginbotham	Nettles	Weeks
Crawford	Hill	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wright
Dill	Jackson (T)	Paulk	Yeilding
Dobbs	Jones	Pearson	Young
Downing	Laxson	Pennington	

—75

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Neville moved to reconsider the vote by which the bill, H. 1051, was passed, and the motion was adopted.

And the bill, H. 1051, was again taken up.

Mr. Neville offered the following amendment to the bill, H. 1051:

In Section 9, insert at the end thereof and as a part of such section, an additional subsection as follows:

(d) Charters, certificates of incorporation, other certificates and like documents relative to corporations, partnerships, professional associations and like entities shall be recorded in corporation books, and indexed in a corporation book index.

Also in Section 11, insert at the end of the section and as a part thereof the following sentences: Churches shall be indexed under the appropriate place for the name of the church and also under the appropriate division of the letter "c" for church. In addition to the usual indexing, the book and page where patents are recorded shall be noted in the Alabama Tract Book.

Also in Section 12 strike out the period at the end of the section, and insert the following: , and shall keep copies of this Act affixed to or printed on the inside cover of each index book.

Also, in Section 16, in line 5, after the word "maps", strike out the remainder of the sentence and insert in lieu thereof the following:

and a duplicate of the Alabama Tract Book pertaining to Barbour County and shall place one set of such maps and one of such Tract Books in each of his offices.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Adwell	Edington	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Pruitt
Bassett	Foshee	Lyons	Robertson
Beck	Garrett	Manley	Shumate
Berryman (W)	Gloor	Mays	Snell
Blanton	Grainger	McCorquodale	Starnes
Bolton	Grayson	McElhaney	Steagall
Brannan	Hain	McLain	Stembridge
Cherner	Hardin	Meade	Stubbs
Collier	Harper	Meeks	Tuck
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Watkins
Crawford	Headley	Money	Weeks
Culver	Hill	Nettles	Williams
Dill	Holladay	Neville	Wright
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Owens (W)	Young

—76

And the bill, H. 1051, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Garrett	Mays	Shumate
Blanton	Gloor	McElhaney	Snell
Bolton	Grainger	McLain	Starnes
Brannan	Grayson	Meade	Steagall
Cherner	Hain	Meeks	Stembridge
Collier	Hardin	Melton	Stubbs
Collins (C)	Harper	Merrill	Tuck
Collins (W)	Harris	Money	Watkins
Cook (Coffee)	Headley	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jackson (T)	Paulk	Young

—76

BILLS ON THIRD READING RESUMED

And the bill:

H. 1042. To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pearson
Adwell	Ellis	Lemley	Pennington
Agee	Fine	Lybrand	Perloff
Bank	Foshee	Lyons	Pruitt
Bassett	Gloor	Manley	Robertson
Beck	Grainger	Mays	Sessions
Blanton	Grayson	McCorquodale	Shumate
Brannan	Hain	McElhaney	Snell
Cherner	Hardin	McLain	Starnes
Collier	Harper	Meade	Steagall
Collins (C)	Harris	Meeks	Stembridge
Collins (W)	Haygood	Melton	Stubbs
Cook (Coffee)	Headley	Merrill	Tuck
Crawford	Hill	Money	Waggoner
Culver	Holladay	Nettles	Weeks
Dill	Jackson (F)	Owen (Baldwin)	Williams
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Paulk	Young
Drake			

—73

And the bill:

H. 1043. To amend further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Manley	Sessions
Blanton	Gloor	Mays	Shumate
Bolton	Grainger	McCorquodale	Snell
Brannan	Grayson	McLain	Starnes
Brassell	Hain	Meade	Steagall
Cherner	Hardin	Meeks	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Haygood	Money	Waggoner
Cook (Coffee)	Headley	Nettles	Weeks
Crawford	Hill	Owen (Baldwin)	Williams
Culver	Holladay	Owens (W)	Yeilding
Dill	Jackson (F)	Paulk	Young
Dobbs	Jackson (T)		

—74

And the bill:

H. 1044. To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Adwell	Drake	Jones	Paulk
Agee	Edington	Laxson	Pearson
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Robertson
Berryman (W)	Garrett	Manley	Shumate
Blanton	Gloor	Mays	Smith
Bolton	Graham	McCorquodale	Snell
Brannan	Grainger	McDonald	Starnes
Brassell	Grayson	McElhaney	Steagall
Cherner	Hain	McLain	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (C)	Harper	Meeks	Tuck
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Crawford	Headley	Money	Williams
Culver	Hill	Nettles	Yeilding
Dill	Holladay	Owen (Baldwin)	Young
Dobbs	Jackson (F)		

—78

And the bill:

H. 1045 (with amendment). Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 1045 as follows:

At the end of "Section 10", delete the period and insert in lieu thereof a semicolon and the following: except that when authorized by the Board, the members shall in addition be entitled to a mileage allowance of ten cents per mile for attending any state or national convention of the Association of County Commissioners of Alabama, or the National Association of Counties, or their successor organizations.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collins (W)	Edington
Adwell	Bolton	Crawford	Ellis
Agee	Brannan	Culver	Fine
Bank	Brassell	Dill	Foshee
Bassett	Cherner	Dobbs	Gloor
Beck	Collier	Downing	Graham
Berryman (W)	Collins (C)	Drake	Grainger

Grayson	Lemley	Money	Shumate
Hain	Lybrand	Nettles	Snell
Hardin	Lyons	Owen (Baldwin)	Starnes
Harper	Manley	Owens (W)	Steagall
Harris	Mays	Paulk	Stembridge
Haygood	McCorquodale	Pearson	Stubbs
Higginbotham	McDonald	Pennington	Tuck
Holladay	McElhaney	Perloff	Weeks
Jackson (F)	McLain	Pruitt	Williams
Jackson (T)	Meade	Robertson	Yeilding
Jones	Melton	Sessions	Young
Laxson	Merrill		

—74

And the bill, H. 1045, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gloor	McCorquodale	Shumate
Blanton	Graham	McDonald	Snell
Bolton	Grainger	McElhaney	Starnes
Bowers	Grayson	McLain	Steagall
Brannan	Hain	Meade	Stembridge
Brassell	Hardin	Meeks	Stubbs
Cherner	Harper	Melton	Tuck
Collier	Harris	Merrill	Waggoner
Collins (C)	Haygood	Money	Watkins
Collins (W)	Higginbotham	Nettles	Weeks
Crawford	Holladay	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Yeilding
Dill	Jackson (T)	Paulk	Young
Dobbs			

—77

And the bill:

H. 1046. Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bolton	Collins (W)	Edington
Agee	Bowers	Crawford	Ellis
Bank	Brannan	Culver	Fine
Bassett	Brassell	Dill	Foshee
Beck	Cherner	Dobbs	Graham
Berryman (W)	Collier	Downing	Grainger
Blanton	Collins (C)	Drake	Grayson

Hain	Lemley	Money	Snell
Hardin	Lybrand	Nettles	Starnes
Harper	Lyons	Owen (Baldwin)	Steagall
Harris	Manley	Owens (W)	Stembridge
Haygood	Mays	Paulk	Stubbs
Higginbotham	McCorquodale	Pearson	Tuck
Holladay	McElhaney	Pennington	Waggoner
House	McLain	Perloff	Weeks
Jackson (F)	Meade	Pruitt	Williams
Jackson (T)	Meeks	Robertson	Yeilding
Jones	Melton	Sessions	Young
Laxson	Merrill	Shumate	

—75

And the bill:

H. 1052. To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson
Agee	Edington	Lybrand	Pennington
Bank	Fine	Lyons	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Gloor	Manley	Robertson
Berryman (W)	Grainger	Mays	Sessions
Blanton	Grayson	McCorquodale	Shumate
Bolton	Hain	McElhaney	Snell
Bowers	Hardin	McLain	Starnes
Brannan	Harper	Meade	Steagall
Brassell	Harris	Meeks	Stembridge
Cherner	Haygood	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	Holladay	Money	Waggoner
Collins (W)	House	Nettles	Watkins
Crawford	Jackson (F)	Owen (Baldwin)	Weeks
Culver	Jackson (T)	Owens (W)	Williams
Dill	Jones	Owens (W.E.)	Yeilding
Dobbs	Laxson	Paulk	Young
Downing			

—77

And the bill:

H. 1053. Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Agee	Edington	Lemley	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Garrett	Malone	Robertson
Berryman (W)	Graham	Manley	Sessions
Blanton	Grainger	Mays	Shumate
Bolton	Grayson	McCorquodale	Snell
Brannan	Hain	McElhaney	Starnes
Brassell	Hardin	McLain	Steagall
Cherner	Harper	Meade	Stembridge
Collier	Harris	Melton	Stubbs
Collins (C)	Haygood	Merrill	Tuck
Collins (W)	Higginbotham	Money	Waggoner
Crawford	Holladay	Nettles	Weeks
Culver	House	Owen (Baldwin)	Williams
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Downing			

—73

And the bill:

H. 1054. To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Agee	Drake	Jones	Paulk
Bank	Edington	Lemley	Pearson
Bassett	Ellis	Lybrand	Pennington
Beck	Foshee	Lyons	Perloff
Berryman (W)	Graham	Malone	Pruitt
Blanton	Grainger	Manley	Robertson
Bolton	Grayson	Mays	Shumate
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McElhaney	Starnes
Cherner	Harper	McLain	Stembridge
Collier	Harris	Meade	Stubbs
Collins (C)	Haygood	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Weeks
Crawford	Holladay	Money	Williams
Culver	House	Nettles	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs			

—69

And the bill:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Owens (W.E.)
Agee	Edington	Laxson	Paulk
Bank	Ellis	Lemley	Pearson
Bassett	Fine	Lybrand	Pennington
Beck	Foshee	Lyons	Perloff
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Graham	Manley	Robertson
Bolton	Grainger	Mays	Sessions
Brannan	Grayson	McCorquodale	Shumate
Brassell	Hain	McElhaney	Snell
Cameron	Hardin	McLain	Starnes
Cherner	Harper	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Collins (C)	Haygood	Melton	Stubbs
Collins (W)	Higginbotham	Merrill	Tuck
Crawford	Holladay	Money	Weeks
Culver	House	Nettles	Williams
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jackson (T)	Owens (W)	Young
Downing			

—77

And the bill:

H. 927. To regulate further the preparation and publication of the list of qualified electors in Lauderdale County in even numbered years; providing for the posting of such lists in lieu of their publication in a newspaper; relieving the judge of probate of the duty of publishing such list; and authorizing him, in his discretion, to publish a brief notice relative to such lists.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Paulk
Agee	Fine	Lybrand	Pearson
Bank	Foshee	Lyons	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Garrett	Manley	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Sessions
Bolton	Grayson	McCorquodale	Shumate
Brannan	Hain	McElhaney	Snell
Brassell	Harper	McLain	Starnes
Cameron	Harris	Meade	Steagall
Cherner	Haygood	Meeks	Stembridge
Collier	Higginbotham	Melton	Stubbs
Collins (W)	Hill	Merrill	Tuck
Crawford	Holladay	Money	Waggoner
Dill	Jackson (F)	Nettles	Weeks
Dobbs	Jackson (T)	Owen (Baldwin)	Williams
Downing	Jones	Owens (W)	Yeilding
Drake	Laxson	Owens (W.E.)	Young
Edington			

—77

And the bill:

H. 1066. Relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decen-

nial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lyons	Pearson
Agee	Gafford	Malone	Pennington
Bank	Garrett	Manley	Perloff
Bassett	Gloor	Mathews	Pruitt
Beck	Graham	Mays	Robertson
Berryman (W)	Grainger	McCorquodale	Sessions
Bolton	Grayson	McElhanev	Shumate
Brannan	Hain	McLain	Snell
Brassell	Hardin	Meade	Starnes
Cameron	Harper	Meeks	Steagall
Cherner	Harris	Melton	Stembridge
Collier	Hill	Merrill	Stubbs
Collins (W)	Holladay	Money	Tuck
Crawford	Jackson (F)	Nettles	Waggoner
Dill	Jackson (T)	Owen (Baldwin)	Weeks
Dobbs	Jones	Owens (W)	Williams
Downing	Laxson	Owens (W.E.)	Yeilding
Drake	Lemley	Paulk	Young
Edington	Lybrand		

—74

And the bill:

H. 1106. Relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Manley	Robertson
Berryman (W)	Gafford	Mathews	Sessions
Blanton	Garrett	Mays	Shumate
Bolton	Graham	McElhanev	Smith
Bowers	Grainger	McLain	Snell
Brannan	Grayson	Meade	Starnes
Brassell	Hain	Melton	Steagall
Cameron	Hardin	Merrill	Stembridge
Collier	Harper	Money	Stubbs
Collins (W)	Harris	Nettles	Tuck
Crawford	Higginbotham	Owen (Baldwin)	Watkins
Dill	Jackson (F)	Owens (W)	Williams
Dobbs	Jackson (T)	Owens (W.E.)	Yeilding
Downing	Jones	Paulk	Young

—72

And the bill:

H. 1108. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this act shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk
Agee	Edington	Lybrand	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Gafford	Mathews	Pruitt
Berryman (W)	Garrett	Mays	Robertson
Blanton	Graham	McCorquodale	Sessions
Bolton	Grainger	McDonald	Shumate
Brannan	Grayson	McElhaney	Snell
Brassell	Hain	McLain	Starnes
Cameron	Hardin	Meade	Steagall
Cherner	Harper	Melton	Stembridge
Collier	Harris	Merrill	Stubbs
Collins (W)	Higginbotham	Money	Tuck
Crawford	Jackson (F)	Nettles	Waggoner
Dill	Jackson (T)	Owen (Baldwin)	Watkins
Dobbs	Jones	Owens (W)	Williams
Downing	Laxson	Owens (W.E.)	Young

—72

MOTION TO RECONSIDER H. 927

Having voted with the prevailing side, Mr. Haygood moved to reconsider the vote by which the bill, H. 927, was passed, and the motion was adopted.

Mr. Haygood then moved that the bill, H. 927, be carried over to the thirtieth legislative day, and the motion was adopted.

And the bill:

H. 1109. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Burgess	Edington	Harris
Agee	Cameron	Fine	Higginbotham
Bassett	Collier	Foshee	Holladay
Beck	Collins (W)	Gafford	Jackson (F)
Berryman (W)	Crawford	Graham	Jackson (T)
Blanton	Dill	Grainger	Jones
Bolton	Dobbs	Grayson	Laxson
Bowers	Doss	Hain	Lemley
Brannan	Downing	Hardin	Lybrand
Brassell	Drake	Harper	Lyons

Malone	Merrill	Perloff	Stembridge
Manley	Money	Pruitt	Stubbs
Mathews	Nettles	Robertson	Tuck
Mays	Owen (Baldwin)	Sessions	Waggoner
McCorquodale	Owens (W)	Shumate	Williams
McElhaney	Owens (W.E.)	Slate	Wright
McLain	Paulk	Snell	Yeilding
Meade	Pearson	Starnes	Young
Melton	Pennington	Steagall	

—75

And the bill:

H. 1110. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the most recent federal decennial census; to regulate the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures and other property of such buildings; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk
Agee	Edington	Lybrand	Pearson
Bank	Fine	Lyons	Pennington
Bassett	Foshee	Malone	Perloff
Beck	Gafford	Manley	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Sessions
Bolton	Grayson	McCorquodale	Shumate
Brannan	Hain	McDonald	Slate
Brassell	Hardin	McElhaney	Snell
Cameron	Harper	McLain	Starnes
Cherner	Harris	Meade	Stembridge
Collier	Haygood	Melton	Stubbs
Collins (W)	Higginbotham	Merrill	Tuck
Crawford	Holladay	Money	Waggoner
Dill	Jackson (F)	Nettles	Williams
Dobbs	Jackson (T)	Owen (Baldwin)	Wright
Doss	Jones	Owens (W)	Yeilding
Downing	Laxson	Owens (W.E.)	Young

—76

And the bill:

H. 1111. Relating to counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to authorize the governing body in such counties to provide additional deputies for the sheriff; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Crawford
Adwell	Berryman (W)	Cameron	Dill
Agee	Blanton	Cherner	Dobbs
Bank	Bolton	Collier	Doss
Bassett	Brannan	Collins (W)	Downing

Drake	House	McLain	Robertson
Edgington	Jackson (F)	Meade	Sessions
Ellis	Jackson (T)	Meeks	Shumate
Fine	Jones	Melton	Slate
Foshee	Laxson	Merrill	Snell
Gafford	Lemley	Money	Starnes
Gloor	Lybrand	Nettles	Steagall
Graham	Lyons	Owen (Baldwin)	Stembridge
Grainger	Malone	Owens (W)	Stubbs
Grayson	Manley	Owens (W.E.)	Tuck
Hain	Mathews	Paulk	Waggoner
Hardin	Mays	Pearson	Williams
Harris	McCorquodale	Pennington	Wright
Haygood	McDonald	Perloff	Yeilding
Higginbotham	McElhaney	Pruitt	Young
Holladay			

—81

And the bill:

H. 1120. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was taken up.

Mr. Drake offered the following amendment to the bill, H. 1120:

In Section 1 strike out Tract I in its entirety and insert in lieu thereof the following:

Tract I. The Southwest Quarter of the Southwest Quarter; the Southeast Quarter of the Southwest Quarter; the Southwest Quarter of the Southeast Quarter; of Section 10.

Also in Section 1 strike out Tracts IV and V in their entirety and insert in lieu thereof the following:

Tract IV. The Northwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 13.

Tract V. The Northeast Quarter of the Northeast Quarter; the North Half of the Southeast Quarter; the Southwest Quarter of Section 14.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collier	Gafford	Jackson (F)
Agee	Collins (C)	Gloor	Jackson (T)
Bank	Collins (W)	Graham	Jones
Bassett	Crawford	Grainger	Laxson
Beck	Culver	Grayson	Lemley
Berryman (W)	Dill	Hain	Lybrand
Blanton	Dobbs	Hardin	Lyons
Bolton	Downing	Harper	Malone
Brannan	Drake	Harris	Manley
Brassell	Edgington	Haygood	Mays
Burgess	Ellis	Higginbotham	McDonald
Cameron	Fine	Holladay	McElhaney
Cherner	Foshee	House	McLain

Meade	Owens (W.E.)	Shumate	Stubbs
Meeks	Paulk	Slate	Tuck
Melton	Pearson	Smith	Waggoner
Merrill	Pennington	Snell	Williams
Money	Perloff	Starnes	Wright
Nettles	Pruitt	Steagall	Yeilding
Owen (Baldwin)	Robertson	Stembridge	Young
Owens (W)	Sessions		

—82

And the bill, H. 1120, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Pearson
Agee	Ellis	Lybrand	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Manley	Robertson
Blanton	Gloor	Marr	Sessions
Bolton	Graham	Mathews	Shumate
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McDonald	Smith
Burgess	Hain	McElhanev	Snell
Cameron	Hardin	McLain	Starnes
Cherner	Harris	Meade	Steagall
Collier	Haygood	Melton	Stembridge
Collins (C)	Higginbotham	Merrill	Stubbs
Collins (W)	Holladay	Money	Tuck
Crawford	House	Nettles	Waggoner
Culver	Jackson (F)	Owen (Baldwin)	Williams
Dill	Jackson (T)	Owens (W)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Laxson	Paulk	Young
Drake			

—81

And the bill:

H. 1121. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Collier	Foshee	House
Agee	Collins (C)	Gafford	Jackson (F)
Bank	Collins (W)	Gloor	Jackson (T)
Bassett	Cook (Coffee)	Graham	Jones
Beck	Crawford	Grainger	Laxson
Berryman (W)	Culver	Grayson	Lemley
Blanton	Dill	Hain	Lybrand
Bolton	Dobbs	Hardin	Lyons
Brannan	Downing	Harper	Malone
Brassell	Drake	Harris	Manley
Burgess	Edington	Haygood	Marr
Cameron	Ellis	Higginbotham	Mathews
Cherner	Fine	Holladay	Mays

McDonald	Nettles	Pruitt	Stembridge
McElhaney	Owen (Baldwin)	Robertson	Stubbs
McLain	Owens (W)	Sessions	Tuck
Meade	Owens (W.E.)	Shumate	Williams
Meeks	Paulk	Slate	Wright
Melton	Pearson	Snell	Yeilding
Merrill	Pennington	Starnes	Young
Money	Perloff	Steagall	

—83

And the bill:

H. 1122. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Was taken up.

Mr. Drake offered the following amendment to the bill, H. 1122:

In Section 1, delete the words: one hundred dollars (\$100) per month, and insert in lieu thereof the following:

two hundred dollars (\$200) per month.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Agee	Downing	Jones	Pearson
Bank	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Ellis	Lybrand	Pruitt
Berryman (W)	Fine	Lyons	Robertson
Blanton	Foshee	Malone	Sessions
Brannan	Gafford	Manley	Shumate
Brassell	Graham	Marr	Smith
Burgess	Grainger	Mays	Snell
Cameron	Grayson	McDonald	Starnes
Cherner	Hain	McLain	Steagall
Collier	Hardin	Meade	Stembridge
Collins (C)	Harper	Melton	Stubbs
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Haygood	Money	Waggoner
Crawford	Higginbotham	Owen (Baldwin)	Williams
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Owens (W.E.)	Young

—76

And the bill, H. 1122, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Beck	Bolton	Cameron
Bank	Berryman (W)	Brannan	Cherner
Bassett	Blanton	Brassell	Collier

Collins (C)	Grainger	Manley	Perloff
Collins (W)	Hain	Marr	Pruitt
Cook (Coffee)	Hardin	Mays	Sessions
Crawford	Harper	McCorquodale	Shumate
Culver	Harris	McDonald	Slate
Dill	Haygood	McLain	Smith
Dobbs	Higginbotham	Meade	Snell
Downing	House	Melton	Starnes
Drake	Jackson (F)	Merrill	Steagall
Edington	Jackson (T)	Nettles	Stembridge
Ellis	Jones	Owen (Baldwin)	Stubbs
Fine	Laxson	Owens (W)	Tuck
Foshee	Lemley	Owens (W.E.)	Waggoner
Gafford	Lybrand	Paulk	Williams
Gloor	Lyons	Pearson	Yeilding
Graham	Malone	Pennington	Young

—76

And the bill:

H. 1123. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Gafford	Manley	Robertson
Berryman (W)	Gloor	Marr	Sessions
Blanton	Graham	Mathews	Shumate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McDonald	Snell
Cameron	Hain	McElhaney	Starnes
Cherner	Hardin	McLain	Steagall
Collier	Harper	Meade	Stembridge
Collins (C)	Harris	Melton	Tuck
Collins (W)	Haygood	Merrill	Waggoner
Crawford	Higginbotham	Money	Weeks
Culver	House	Nettles	Williams
Dill	Jackson (F)	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Owens (W.E.)	Young
Drake			

—77

And the bill:

H. 1124. To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Owens (W.E.)
Bank	Drake	Jones	Paulk
Bassett	Edington	Laxson	Pearson
Beck	Ellis	Lemley	Pennington
Berryman (W)	Fine	Lybrand	Perloff
Blanton	Foshee	Malone	Robertson
Bolton	Gafford	Manley	Sessions
Bowers	Gloor	Marr	Shumate
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Starnes
Cameron	Grayson	McDonald	Steagall
Cherner	Hain	McElhaney	Stembridge
Collier	Hardin	McLain	Tuck
Collins (C)	Harper	Meade	Weeks
Collins (W)	Harris	Melton	Williams
Cook (Coffee)	Haygood	Merrill	Wright
Crawford	Higginbotham	Money	Yeilding
Culver	Holladay	Nettles	Young
Dill	House	Owen (Baldwin)	

—79

RECESS

On motion of Mr. Watkins, the House recessed for ten minutes from 3:40 P. M. to 3:50 P. M.

HOUSE RECONVENED

The hour of 3:50 P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Also:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

Also:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment,

recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Also:

H. 1065. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Also:

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Also:

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Also:

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

Also:

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Also:

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county officers in Talladega County.

Also:

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Also:

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

Also:

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

Also:

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

Also:

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial

census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 980. Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

Also:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1140. To apply only in counties having populations of not less than 61,000 nor more than 65,000, reducing the additional compensation of official court reporters of the circuit court in such counties, which is payable from the county treasury, contingent upon the increase of the compensation payable to such court reporter from the State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker	Foshee	Marr	Pearson
Agee	Graham	McCorquodale	Pennington
Brannan	Harper	McLain	Sessions
Brassell	Harris	Melton	Slate
Collier	Haygood	Money	Snell
Collins (C)	Hill	Nettles	Starnes
Cook (Coffee)	House	Neville	Steagall
Doss	Jackson (F)	Owen (Baldwin)	Stembridge
Downing	Jackson (T)	Owens (W)	Tuck
Drake	Lemley	Owens (W.E.)	Williams
Ellis	Lyons	Paulk	Young
Fine	Manley		

—46

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1141. To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W)
Adwell	Downing	Jones	Owens (W.E.)
Agee	Drake	Laxson	Paulk
Bank	Edington	Lemley	Pearson
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Malone	Pruitt
Berryman (W)	Foshee	Manley	Robertson
Brannan	Garrett	Marr	Sessions
Brassell	Gloor	McCorquodale	Slate
Cameron	Graham	McElhaney	Snell
Cherner	Grainger	McLain	Starnes
Collier	Hain	Meade	Steagall
Collins (C)	Harper	Meeks	Stembridge
Collins (W)	Harris	Melton	Tuck
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	House	Neville	Wright
Dobbs	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 1183. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Garrett	Malone	Sessions
Berryman (W)	Graham	Manley	Shumate
Brannan	Grainger	Marr	Slate
Brassell	Hain	McCorquodale	Smith
Cameron	Hardin	McElhaney	Snell
Collier	Harper	McLain	Starnes
Collins (C)	Harris	Meade	Steagall
Cook (Coffee)	Headley	Meeks	Stembridge
Cook (Jefferson)	Hill	Melton	Tuck
Crawford	Holladay	Merrill	Weeks
Dill	House	Nettles	Williams
Dobbs	Jackson (F)	Owen (Baldwin)	Wood
Doss	Jackson (T)	Owens (W)	Wright
Downing	Jones	Owens (W.E.)	Young
Drake			

—73

And the bill:

H. 1189. To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to pro-

vide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk
Agee	Edington	Lybrand	Pearson
Bank	Ellis	Lyons	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Gafford	Manley	Sessions
Berryman (W)	Garrett	Marr	Shumate
Brannan	Graham	McDonald	Slate
Brassell	Grainger	McElhaney	Snell
Cherner	Hain	McLain	Starnes
Collier	Harper	Meade	Steagall
Collins (C)	Harris	Meeks	Stembridge
Collins (W)	Headley	Melton	Tuck
Cook (Jefferson)	Hill	Merrill	Waggoner
Crawford	Holladay	Nettles	Weeks
Culver	House	Neville	Williams
Dill	Jackson (F)	Owen (Baldwin)	Wood
Dobbs	Jackson (T)	Owens (W)	Wright
Doss	Jones	Owens (W.E.)	Young
Downing	Laxson		

—74

And the bill:

H. 1190. To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Paulk
Agee	Edington	Lemley	Pearson
Bassett	Ellis	Lybrand	Pennington
Beck	Fine	Lyons	Perloff
Berryman (W)	Foshee	Malone	Pruitt
Brannan	Gafford	Manley	Sessions
Brassell	Garrett	Marr	Shumate
Cherner	Graham	McElhaney	Slate
Collier	Grainger	McLain	Snell
Collins (C)	Hain	Meade	Starnes
Collins (W)	Hardin	Meeks	Steagall
Cook (Coffee)	Harper	Melton	Stembridge
Cook (Jefferson)	Harris	Merrill	Tuck
Crawford	Headley	Money	Waggoner
Culver	Hill	Nettles	Weeks
Dill	Holladay	Neville	Williams
Dobbs	House	Owen (Baldwin)	Wood
Doss	Jackson (F)	Owens (W)	Wright
Downing	Jackson (T)	Owens (W.E.)	Young

—76

And the bill:

H. 1191. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson
Adwell	Edgington	Lybrand	Pennington
Agee	Ellis	Lyons	Perloff
Bank	Fine	Malone	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Gafford	Marr	Sessions
Berryman (W)	Garrett	Mays	Shumate
Brannan	Graham	McElhaney	Slate
Brassell	Grainger	McLain	Snell
Cherner	Hain	Meade	Starnes
Collier	Hardin	Meeks	Steagall
Collins (C)	Harper	Melton	Stembridge
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Headley	Money	Waggoner
Cook (Jefferson)	Hill	Nettles	Weeks
Crawford	Holladay	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Dill	Jackson (F)	Owens (W)	Wright
Dobbs	Jackson (T)	Owens (W.E.)	Young
Doss	Laxson	Paulk	

—79

And the bill:

H. 1192. To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hain	Malone
Adwell	Crawford	Hardin	Manley
Agee	Culver	Harper	Marr
Bank	Dill	Harris	Mays
Bassett	Dobbs	Headley	McCorquodale
Beck	Doss	Hill	McElhaney
Berryman (W)	Downing	Holladay	McLain
Blanton	Drake	House	Meade
Brannan	Edgington	Jackson (F)	Meeks
Brassell	Ellis	Jackson (T)	Melton
Cherner	Fine	Jones	Merrill
Collier	Foshee	Laxson	Money
Collins (C)	Gafford	Lemley	Nettles
Collins (W)	Graham	Lybrand	Neville
Cook (Coffee)	Grainger	Lyons	Owen (Baldwin)

Owens (W)	Pruitt	Snell	Weeks
Owens (W.E.)	Robertson	Starnes	Williams
Paulk	Sessions	Steagall	Wood
Pearson	Shumate	Stembridge	Wright
Pennington	Slate	Watkins	Young
Perloff			

—81

And the bill:

H. 1193. Proposing an amendment to the Constitution of Alabama relative to Bibb County, authorizing the legislature to fix, regulate, and alter the costs, charges of courts, fees, commissions, allowances, or compensation to be charged or received by the sheriff of Bibb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Laxson	Owens (W.E.)
Bank	Edgington	Lemley	Paulk
Bassett	Ellis	Lybrand	Pearson
Beck	Fine	Lyons	Pennington
Berryman (W)	Foshee	Malone	Perloff
Blanton	Gafford	Manley	Pruitt
Brannan	Garrett	Marr	Robertson
Brassell	Graham	Mays	Sessions
Cherner	Grainger	McCorquodale	Shumate
Collier	Hain	McElhaney	Slate
Collins (C)	Hardin	McLain	Snell
Collins (W)	Harper	Meade	Starnes
Cook (Coffee)	Harris	Meeks	Steagall
Cook (Jefferson)	Headley	Melton	Stembridge
Crawford	Hill	Merrill	Tuck
Culver	Holladay	Money	Weeks
Dill	House	Nettles	Williams
Dobbs	Jackson (F)	Neville	Wood
Doss	Jackson (T)	Owen (Baldwin)	Young

—80

And the bill:

H. 1194. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailors, and to provide for the payment of expenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collins (C)	Dobbs
Agee	Brannan	Collins (W)	Downing
Bank	Brassell	Cook (Coffee)	Drake
Bassett	Burgess	Cook (Jefferson)	Edgington
Beck	Cherner	Crawford	Fine
Berryman (W)	Collier	Dill	Foshee

Gafford	Jones	Meeks	Pruitt
Garrett	Lemley	Melton	Robertson
Graham	Lybrand	Merrill	Sessions
Grainger	Lyons	Money	Shumate
Hain	Malone	Nettles	Snell
Hardin	Manley	Neville	Starnes
Harper	Marr	Owen (Baldwin)	Steagall
Harris	Mays	Owens (W)	Stembridge
Hill	McCorquodale	Owens (W.E.)	Weeks
Holladay	McElhaney	Paulk	Williams
House	McLain	Pennington	Wood
Jackson (F)	Meade	Perloff	Young
Jackson (T)			

—73

And the bill:

H. 1195. Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Doss	Lemley	Paulk
Adwell	Downing	Lybrand	Pearson
Agee	Drake	Lyons	Pennington
Bank	Edington	Malone	Perloff
Bassett	Fine	Manley	Pruitt
Beck	Foshee	Marr	Robertson
Berryman (W)	Gafford	Mays	Sessions
Blanton	Garrett	McElhaney	Shumate
Brannan	Graham	McLain	Slate
Brassell	Grainger	Meade	Snell
Burgess	Hain	Meeks	Starnes
Collier	Hardin	Melton	Steagall
Collins (C)	Harper	Merrill	Stembridge
Collins (W)	Harris	Money	Tuck
Cook (Coffee)	Headley	Nettles	Weeks
Cook (Jefferson)	Hill	Neville	Williams
Crawford	House	Owen (Baldwin)	Wood
Culver	Jackson (F)	Owens (W)	Yeilding
Dill	Jackson (T)	Owens (W.E.)	Young
Dobbs	Jones		

—78

And the bill:

H. 1196. To amend Act No. 258, H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Cherner
Agee	Berryman (W)	Brassell	Collier
Bassett	Blanton	Burgess	Collins (C)

Collins (W)	Grainger	Marr	Perloff
Cook (Coffee)	Hain	Mays	Pruitt
Cook (Jefferson)	Hardin	McElhaney	Robertson
Crawford	Harper	McLain	Sessions
Culver	Harris	Meade	Shumate
Dill	Headley	Meeks	Slate
Dobbs	Hill	Melton	Snell
Doss	Holladay	Merrill	Starnes
Downing	House	Money	Steagall
Drake	Jackson (F)	Nettles	Stembridge
Edington	Jackson (T)	Neville	Tuck
Ellis	Jones	Owen (Baldwin)	Weeks
Fine	Lemley	Owens (W)	Williams
Foshee	Lybrand	Owens (W.E.)	Wood
Garrett	Lyons	Paulk	Yeilding
Gloor	Malone	Pearson	Young
Graham	Manley	Pennington	

—79

And the bill:

H. 1197. Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pennington
Adwell	Edington	Lybrand	Perloff
Agee	Ellis	Lyons	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mays	Slate
Brannan	Gloor	McElhaney	Snell
Brassell	Graham	McLain	Starnes
Cherner	Grainger	Meade	Steagall
Collier	Hain	Meeks	Stembridge
Collins (C)	Hardin	Merrill	Tuck
Collins (W)	Harper	Money	Waggoner
Cook (Coffee)	Harris	Nettles	Weeks
Cook (Jefferson)	Headley	Neville	Williams
Crawford	Hill	Owen (Baldwin)	Wood
Culver	House	Owens (W)	Wright
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Downing	Jones	Pearson	

—79

And the bill:

H. 1198. Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Paulk
Agee	Fine	Lyons	Pearson
Bank	Foshee	Malone	Pennington
Bassett	Gafford	Manley	Perloff
Beck	Garrett	Marr	Pruitt
Berryman (W)	Gloor	Mays	Robertson
Blanton	Graham	McDonald	Sessions
Brannan	Grainger	McElhaney	Shumate
Brassell	Hain	McLain	Slate
Cherner	Hardin	Meade	Starnes
Collier	Harper	Meeks	Stembridge
Collins (W)	Harris	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Waggoner
Cook (Jefferson)	Hill	Money	Weeks
Culver	House	Nettles	Williams
Dill	Jackson (F)	Neville	Wood
Dobbs	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young
Drake	Lemley	Owens (W.E.)	

—75

And the bill:

H. 1200. Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts, 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees so as to provide further for the disposition and use of such fees

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edington	Lyons	Pearson
Agee	Ellis	Malone	Pennington
Bank	Fine	Manley	Perloff
Bassett	Foshee	Marr	Pruitt
Beck	Gafford	Mathews	Robertson
Berryman (W)	Garrett	Mays	Shumate
Blanton	Gloor	McDonald	Slate
Brannan	Graham	McElhaney	Snell
Brassell	Grainger	McLain	Starnes
Cherner	Hain	Meade	Steagall
Collier	Hardin	Meeks	Stembridge
Collins (C)	Harper	Melton	Stubbs
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Headley	Money	Waggoner
Cook (Jefferson)	Hill	Nettles	Weeks
Crawford	House	Neville	Williams
Culver	Jackson (F)	Owen (Baldwin)	Wood
Dill	Jackson (T)	Owens (W)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Lemley	Paulk	Young
Drake	Lybrand		

—82

And the bill:

H. 1201. Relating to Autauga County; regulating further the compensation of the jury commission and the clerk thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Edington	Malone	Pennington
Agee	Ellis	Manley	Perloff
Bank	Fine	Marr	Pruitt
Bassett	Foshee	Mathews	Robertson
Beck	Gafford	Mays	Sessions
Berryman (W)	Garrett	McDonald	Shumate
Blanton	Gloor	McElhaney	Slate
Brannan	Graham	McLain	Snell
Brassell	Grainger	Meade	Starnes
Cherner	Hain	Meeks	Steagall
Collier	Hardin	Melton	Stembridge
Collins (C)	Headley	Merrill	Stubbs
Collins (W)	Hill	Money	Tuck
Cook (Coffee)	House	Nettles	Waggoner
Cook (Jefferson)	Jackson (F)	Neville	Watkins
Crawford	Jackson (T)	Owen (Baldwin)	Weeks
Culver	Jones	Owens (W)	Williams
Dill	Lemley	Owens (W.E.)	Wood
Dobbs	Lybrand	Paulk	Yeilding
Downing	Lyons	Pearson	Young
Drake			

—80

And the bill:

H. 1203. To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson
Adwell	Drake	Lybrand	Pennington
Agee	Edington	Lyons	Perloff
Bank	Ellis	Malone	Pruitt
Bassett	Fine	Manley	Robertson
Beck	Foshee	Marr	Sessions
Berryman (W)	Gafford	Mathews	Shumate
Blanton	Garrett	Mays	Slate
Brannan	Gloor	McDonald	Smith
Brassell	Graham	McElhaney	Snell
Burgess	Grainger	McLain	Starnes
Cherner	Hain	Meade	Steagall
Collier	Hardin	Meeks	Stembridge
Collins (C)	Harper	Melton	Stubbs
Collins (W)	Harris	Money	Tuck
Cook (Coffee)	Headley	Nettles	Waggoner
Cook (Jefferson)	Hill	Neville	Weeks
Crawford	House	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wood
Dill	Jackson (T)	Owens (W.E.)	Yeilding
Dobbs	Jones	Paulk	Young

—84

And the bill:

H. 1207. Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Paulk
Adwell	Drake	Lybrand	Pearson
Agee	Edington	Lyons	Pennington
Bank	Ellis	Malone	Perloff
Bassett	Fine	Manley	Pruitt
Beck	Foshee	Marr	Robertson
Berryman (W)	Gafford	Mathews	Sessions
Blanton	Garrett	Mays	Shumate
Brannan	Gloor	McDonald	Smith
Brassell	Graham	McElhaney	Snell
Burgess	Grainger	McLain	Starnes
Cherner	Hain	Meade	Steagall
Collier	Hardin	Meeks	Stembridge
Collins (C)	Harper	Melton	Stubbs
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Headley	Money	Waggoner
Cook (Jefferson)	Hill	Nettles	Weeks
Crawford	House	Neville	Williams
Culver	Jackson (F)	Owen (Baldwin)	Wood
Dill	Jackson (T)	Owens (W)	Yeilding
Dobbs	Jones	Owens (W.E.)	Young

—84

And the bill:

H. 1208. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Garrett	Lemley
Adwell	Cook (Coffee)	Gloor	Lybrand
Agee	Cook (Jefferson)	Graham	Lyons
Bank	Crawford	Grainger	Malone
Bassett	Culver	Hain	Manley
Beck	Dill	Hardin	Marr
Berryman (W)	Dobbs	Harper	Mathews
Blanton	Downing	Harris	Mays
Brannan	Drake	Headley	McCorquodale
Brassell	Edington	Hill	McDonald
Burgess	Ellis	House	McElhaney
Cherner	Fine	Jackson (F)	McLain
Collier	Foshee	Jackson (T)	Meade
Collins (C)	Gafford	Jones	Meeks

Melton	Paulk	Shumate	Tuck
Merrill	Pearson	Smith	Waggoner
Money	Pennington	Snell	Weeks
Nettles	Perloff	Starnes	Williams
Neville	Pruitt	Steagall	Wood
Owen (Baldwin)	Robertson	Stembridge	Yeilding
Owens (W)	Sessions	Stubbs	Young
Owens (W.E.)			

—85

And the bill:

H. 1212. To amend Section 2 of Act No. 47, H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Lyons	Pearson
Adwell	Edington	Malone	Pennington
Agee	Ellis	Manley	Perloff
Bank	Fine	Marr	Pruitt
Bassett	Foshee	Mathews	Robertson
Beck	Gafford	Mays	Sessions
Berryman (W)	Garrett	McCorquodale	Shumate
Blanton	Gloor	McDonald	Smith
Brannan	Graham	McElhaney	Snell
Brassell	Grainger	McLain	Starnes
Burgess	Hain	Meade	Steagall
Cherner	Hardin	Meeks	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Headley	Money	Waggoner
Cook (Coffee)	Hill	Nettles	Weeks
Crawford	Jackson (F)	Neville	Williams
Culver	Jackson (T)	Owen (Baldwin)	Wood
Dill	Jones	Owens (W)	Yeilding
Dobbs	Lemley	Paulk	Young
Downing	Lybrand		

—82

And the bill:

H. 1213. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brannan	Collier
Adwell	Beck	Brassell	Collins (C)
Agee	Berryman (W)	Burgess	Collins (W)
Bank	Blanton	Cherner	Cook (Coffee)

Crawford	Harper	McCorquodale	Perloff
Culver	Harris	McDonald	Pruitt
Dill	Headley	McElhaney	Robertson
Dobbs	Hill	McLain	Sessions
Downing	Hobbie	Meade	Smith
Drake	Jackson (F)	Meeks	Snell
Edington	Jackson (T)	Melton	Starnes
Ellis	Jones	Merrill	Steagall
Fine	Lemley	Money	Stembridge
Foshee	Lybrand	Nettles	Stubbs
Gafford	Lyons	Neville	Tuck
Garrett	Malone	Owen (Baldwin)	Weeks
Gloor	Manley	Owens (W)	Williams
Graham	Marr	Paulk	Wood
Grainger	Mathews	Pearson	Yeilding
Hain	Mays	Pennington	Young
Hardin			

—81

And the bill:

H. 1214. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Malone	Pearson
Agee	Ellis	Manley	Pennington
Bank	Fine	Marr	Perloff
Bassett	Foshee	Mathews	Pruitt
Beck	Gafford	Mays	Robertson
Berryman (W)	Garrett	McCorquodale	Sessions
Blanton	Gloor	McDonald	Shumate
Brannan	Graham	McElhaney	Smith
Brassell	Grainger	McLain	Snell
Burgess	Hain	Meade	Starnes
Cherner	Hardin	Meeks	Steagall
Collier	Harris	Melton	Stembridge
Collins (C)	Headley	Merrill	Stubbs
Collins (W)	Hill	Money	Tuck
Cook (Coffee)	Jackson (F)	Nettles	Waggoner
Crawford	Jackson (T)	Neville	Weeks
Culver	Jones	Owen (Baldwin)	Williams
Dill	Lemley	Owens (W)	Wood
Dobbs	Lybrand	Owens (W.E.)	Yeilding
Downing	Lyons	Paulk	Young
Drake			

—81

And the bill:

H. 1215. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edington	Lyons	Pearson
Agee	Ellis	Malone	Pennington
Bank	Fine	Manley	Perloff
Bassett	Foshee	Mathews	Pruitt
Beck	Gafford	Mays	Robertson
Berryman (W)	Garrett	McCorquodale	Sessions
Blanton	Gloor	McDonald	Smith
Bolton	Graham	McElhaney	Snell
Brannan	Grainger	McLain	Starnes
Brassell	Hain	Meade	Steagall
Burgess	Hardin	Meeks	Stembridge
Cherner	Harper	Melton	Stubbs
Collier	Harris	Merrill	Tuck
Collins (C)	Headley	Money	Waggoner
Cook (Coffee)	Hill	Neville	Weeks
Crawford	Jackson (F)	Owen (Baldwin)	Williams
Dill	Jackson (T)	Owens (W)	Wood
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Lemley	Paulk	Young
Drake	Lybrand		

—78

And the bill:

H. 1216. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Owens (W.E.)
Adwell	Drake	Lybrand	Paulk
Agee	Edington	Malone	Pearson
Bank	Ellis	Manley	Pennington
Bassett	Fine	Marr	Perloff
Beck	Foshee	Mathews	Pruitt
Berryman (W)	Gafford	Mays	Sessions
Blanton	Garrett	McCorquodale	Snell
Brannan	Gloor	McDonald	Starnes
Brassell	Graham	McElhaney	Steagall
Burgess	Grainger	McLain	Stembridge
Cherner	Hain	Meade	Stubbs
Collier	Hardin	Meeks	Tuck
Collins (C)	Harper	Melton	Waggoner
Collins (W)	Harris	Merrill	Weeks
Cook (Coffee)	Headley	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Jackson (F)	Neville	Yeilding
Dill	Jackson (T)	Owen (Baldwin)	Young
Dobbs	Jones	Owens (W)	

—79

And the bill:

H. 1217. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue,

board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owen (Baldwin)
Adwell	Drake	Laxson	Owens (W)
Agee	Edington	Lemley	Owens (W.E.)
Bank	Ellis	Lybrand	Paulk
Bassett	Fine	Lyons	Pennington
Beck	Foshee	Manley	Perloff
Berryman (W)	Gafford	Marr	Pruitt
Blanton	Garrett	Mathews	Robertson
Brannan	Gloor	Mays	Sessions
Brassell	Graham	McCorquodale	Snell
Burgess	Grainger	McDonald	Starnes
Cherner	Hain	McElhaney	Stembridge
Collier	Hardin	McLain	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Headley	Melton	Weeks
Crawford	Higginbotham	Merrill	Williams
Culver	Hill	Money	Wood
Dill	Jackson (F)	Nettles	Yeilding
Dobbs	Jackson (T)	Neville	Young

—80

And the bill:

H. 1221. Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Adwell	Drake	Laxson	Owens (W.E.)
Agee	Edington	Lemley	Paulk
Bank	Ellis	Lybrand	Pearson
Bassett	Fine	Lyons	Pennington
Beck	Foshee	Malone	Perloff
Berryman (W)	Gafford	Manley	Pruitt
Blanton	Garrett	Marr	Robertson
Brannan	Gloor	Mathews	Sessions
Brassell	Grainger	McCorquodale	Snell
Burgess	Grayson	McElhaney	Starnes
Cherner	Hain	McLain	Stembridge
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Crawford	Higginbotham	Money	Wood
Culver	Hill	Nettles	Yeilding
Dill	Jackson (F)	Neville	Young
Dobbs	Jackson (T)	Owen (Baldwin)	

—79

And the bill:

H. 1223. Proposing an amendment to the Constitution of Alabama relating to Marengo County, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Owens (W.E.)
Adwell	Edington	Lybrand	Paulk
Agee	Ellis	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Gafford	Marr	Pruitt
Berryman (W)	Garrett	Mathews	Robertson
Blanton	Gloor	Mays	Sessions
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Starnes
Burgess	Grayson	McElhaney	Steagall
Cherner	Hain	McLain	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (C)	Harper	Meeks	Tuck
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Headley	Merrill	Weeks
Crawford	Higginbotham	Money	Williams
Culver	Hill	Nettles	Wood
Dill	Jackson (F)	Neville	Yeilding
Dobbs	Jackson (T)	Owen (Baldwin)	Young
Downing	Jones	Owens (W)	

—83

And the bill:

H. 1224. To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Adwell	Ellis	Lybrand	Pearson
Agee	Fine	Lyons	Pennington
Bank	Foshee	Malone	Perloff
Bassett	Gafford	Manley	Pruitt
Beck	Garrett	Marr	Robertson
Berryman (W)	Gloor	Mathews	Sessions
Blanton	Graham	Mays	Snell
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	McElhaney	Starnes
Cherner	Hain	McLain	Steagall
Collier	Hardin	Meade	Stembridge
Collins (C)	Harper	Meeks	Stubbs
Collins (W)	Harris	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Waggoner
Crawford	Higginbotham	Money	Watkins
Culver	Hill	Nettles	Weeks
Dill	Jackson (F)	Neville	Williams
Dobbs	Jackson (T)	Owen (Baldwin)	Wood
Downing	Jones	Owens (W)	Yeilding
Drake	Laxson	Owens (W.E.)	Young

—84

And the bill:

H. 1225. To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Owens (W)
Adwell	Edington	Lemley	Owens (W.E.)
Agee	Ellis	Lybrand	Paulk
Bank	Fine	Lyons	Pearson
Bassett	Foshee	Malone	Pennington
Beck	Gafford	Manley	Perloff
Berryman (W)	Garrett	Marr	Pruitt
Blanton	Gloor	Mathews	Robertson
Brannan	Graham	Mays	Snell
Brassell	Grainger	McCorquodale	Springer
Burgess	Grayson	McDonald	Starnes
Cherner	Hain	McElhaney	Stembridge
Collier	Hardin	McLain	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Headley	Melton	Watkins
Crawford	Higginbotham	Merrill	Weeks
Culver	Hill	Money	Williams
Dill	Jackson (F)	Nettles	Wood
Dobbs	Jackson (T)	Neville	Yeilding
Downing	Jones	Owen (Baldwin)	Young

—84

And the bill:

H. 1226. To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Owens (W.E.)
Adwell	Edington	Lybrand	Paulk
Agee	Ellis	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Gafford	Marr	Pruitt
Berryman (W)	Garrett	Mathews	Robertson
Blanton	Gloor	Mays	Smith
Bolton	Graham	McCorquodale	Snell
Brannan	Grainger	McDonald	Springer
Brassell	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Stembridge
Cherner	Hardin	Meade	Stubbs
Collier	Harper	Meeks	Tuck
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Crawford	Jackson (F)	Nettles	Williams
Culver	Jackson (T)	Neville	Wood
Dill	Jones	Owen (Baldwin)	Yeilding
Dobbs	Laxson	Owens (W)	Young
Downing			

—85

And the bill:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W.E.)
Adwell	Ellis	Lemley	Paulk
Agee	Fine	Lybrand	Pearson
Bank	Foshee	Lyons	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Garrett	Manley	Pruitt
Berryman (W)	Gloor	Marr	Robertson
Blanton	Graham	Mathews	Shumate
Bolton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McDonald	Starnes
Burgess	Hardin	McElhanev	Steagall
Cherner	Harper	McLain	Stembridge
Collier	Harris	Meade	Stubbs
Collins (C)	Headley	Meeks	Tuck
Collins (W)	Higginbotham	Melton	Waggoner
Cook (Coffee)	Hill	Merrill	Weeks
Crawford	Hobbie	Money	Williams
Culver	Holladay	Nettles	Wood
Dill	Jackson (F)	Neville	Wright
Dobbs	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young
Drake			

—89

And the bill:

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Brannan	Dobbs	Gloor
Adwell	Brassell	Downing	Graham
Agee	Cherner	Drake	Grainger
Bank	Collier	Edington	Grayson
Bassett	Collins (W)	Ellis	Hain
Beck	Cook (Coffee)	Fine	Hardin
Berryman (W)	Crawford	Foshee	Harper
Blanton	Culver	Gafford	Harris
Bolton	Dill	Garrett	Headley

Higginbotham	Marr	Neville	Starnes
Hill	Mathews	Owen (Baldwin)	Steagall
Hobbie	Mays	Owens (W)	Stembridge
Holladay	McCorquodale	Owens (W.E.)	Stubbs
Jackson (F)	McElhaney	Paulk	Tuck
Jackson (T)	McLain	Pearson	Waggoner
Jones	Meade	Pennington	Watkins
Laxson	Meeks	Perloff	Weeks
Lemley	Melton	Pruitt	Williams
Lybrand	Merrill	Robertson	Wood
Lyons	Money	Shumate	Yeilding
Malone	Nettles	Snell	Young
Manley			

—84

And the bill:

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Adwell	Ellis	Lybrand	Pearson
Agee	Fine	Lyons	Pennington
Bank	Foshee	Malone	Perloff
Bassett	Gafford	Manley	Pruitt
Beck	Garrett	Marr	Robertson
Berryman (W)	Gloor	Mathews	Shumate
Blanton	Grainger	Mays	Snell
Brannan	Hain	McCorquodale	Starnes
Brassell	Hardin	McElhaney	Steagall
Cherner	Harper	McLain	Stembridge
Collier	Harris	Meade	Stubbs
Collins (C)	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Watkins
Crawford	Hobbie	Nettles	Weeks
Culver	Holladay	Neville	Williams
Dill	Jackson (F)	Owen (Baldwin)	Wood
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Owens (W.E.)	Young
Drake	Laxson		

—82

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 870. To provide for a refund of a portion of the state tax paid on gasoline which is used solely for the fixed and static testing of engines manufactured or remanufactured in the State of Alabama; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the Commissioner of Revenue in the administra-

tion and enforcement of the Act; defining violations of the Act and prescribing penalties therefor.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

H. 1133. To provide for any counties having a population of 600,000 or more according to the 1940 federal census or any succeeding decennial federal census which have adopted or subsequently adopt Zoning Regulations, Land Subdivision Regulations and Building Codes to have exclusive jurisdiction over matters relating to such Zoning, Land Subdivision, and Building Code in all areas of the County lying outside of the corporate limits of any municipality in such County, and to withdraw from such municipalities all right, power and authority relating to such land outside its corporate limits as to all matters relating to Zoning, Land Subdivision and Building Codes; to define Zoning Regulations, Land Subdivision Regulations and Building Codes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W)
Adwell	Ellis	Lemley	Owens (W.E.)
Agee	Fine	Lybrand	Paulk
Bank	Foshee	Lyons	Pearson
Bassett	Gafford	Malone	Pennington
Beck	Garrett	Manley	Perloff
Berryman (W)	Gloor	Marr	Pruitt
Blanton	Graham	Mathews	Robertson
Brannan	Grainger	Mays	Shumate
Brassell	Grayson	McCorquodale	Snell
Cherner	Hain	McDonald	Starnes
Collier	Hardin	McElhaney	Steagall
Collins (C)	Harper	McLain	Stembridge
Collins (W)	Harris	Meade	Stubbs
Cook (Coffee)	Haygood	Meeks	Tuck
Crawford	Headley	Melton	Waggoner
Culver	Higginbotham	Merrill	Weeks
Dill	Hill	Money	Williams
Dobbs	Hobbie	Nettles	Wood
Doss	Jackson (F)	Neville	Yelding
Downing	Jackson (T)	Owen (Baldwin)	Young
Drake	Jones		

—86

And the bill:

H. 1134. To amend the title and to further amend Section 1 of Act No. 344, H. 775 of the Regular Session of 1947 (General Acts 1947, p. 217), which was an act to empower any counties having a population of 400,000 or more according to the 1940 or any succeeding federal

census to provide for, regulate, and restrict in the unincorporated portions of the county outside of the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry and residence, so as to authorize such counties to zone the unincorporated portions of the county lying within the police jurisdiction of the incorporated municipalities of the county and to take away from such incorporated municipalities zoning jurisdiction in that area outside of their corporate limits but within their police jurisdiction.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pearson
Adwell	Ellis	Laxson	Pennington
Agee	Fine	Lemley	Perloff
Bank	Foshee	Lybrand	Pruitt
Bassett	Gafford	Lyons	Robertson
Beck	Garrett	Malone	Shumate
Berryman (W)	Gloor	Manley	Snell
Blanton	Graham	Marr	Starnes
Brannan	Grainger	Mathews	Steagall
Brassell	Grayson	Mays	Stembridge
Cherner	Hain	McElhaney	Stubbs
Collier	Hardin	McLain	Tuck
Collins (C)	Harper	Meade	Turnham
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Haygood	Merrill	Watkins
Crawford	Headley	Money	Weeks
Culver	Higginbotham	Nettles	Williams
Dill	Hill	Neville	Wood
Dobbs	Hobbie	Owen (Baldwin)	Wright
Doss	Holladay	Owens (W)	Yeilding
Downing	Jackson (F)	Owens (W.E.)	Young
Drake	Jackson (T)	Paulk	

—87

And the bill:

H. 1135. To amend subparagraph (b) of Section 4 of Act No. 672 H. 923 of the regular session of 1967 (General Acts 1967, Page 1496), which was an Act to authorize any county having a population of 500,000 or more, according to the last or any subsequent federal census to adopt a building code or ordinance designed to prevent fire and to protect the people of the county from the loss of property and the loss of life consequent to fires, which building code or ordinances shall apply only in the unincorporated area of the county; so as to authorize the adoption of such code or ordinance without regard to whether a majority of the qualified electors residing in the area wherein the code shall apply are in favor of the adoption of the code and without regard as to whether the adoption of the proposed code would result in substantial savings in respect to fire insurance rates.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker	Bank	Berryman (W)	Brassell
Adwell	Bassett	Blanton	Cherner
Agee	Beck	Brannan	Collier

Collins (C)	Hain	Mathews	Perloff
Collins (W)	Hardin	Mays	Pruitt
Cook (Coffee)	Harper	McCorquodale	Robertson
Crawford	Harris	McDonald	Shumate
Culver	Haygood	McElhaney	Snell
Dill	Headley	McLain	Starnes
Dobbs	Higginbotham	Meade	Stembridge
Doss	Hill	Meeks	Stubbs
Downing	Hobbie	Merrill	Tuck
Drake	Holladay	Money	Turnham
Edington	Jackson (F)	Nettles	Waggoner
Ellis	Jackson (T)	Neville	Watkins
Foshee	Jones	Owen (Baldwin)	Weeks
Gafford	Laxson	Owens (W)	Williams
Garrett	Lybrand	Owens (W.E.)	Wood
Gloor	Lyons	Paulk	Wright
Graham	Malone	Pearson	Yeilding
Grainger	Manley	Pennington	Young
Grayson	Marr		

—86

Nay: Mr. Lemley.

—1

And the bill:

H. 1136. To amend Section 22 of Act No. 248, General Laws of Alabama, approved July 6, 1945, entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cherner	Downing	Grainger
Adwell	Collier	Drake	Grayson
Agee	Collins (C)	Edington	Hain
Bank	Collins (W)	Ellis	Hardin
Bassett	Cook (Coffee)	Fine	Harper
Beck	Crawford	Foshee	Harris
Berryman (W)	Culver	Gafford	Haygood
Blanton	Dill	Garrett	Headley
Brannan	Dobbs	Gloor	Higginbotham
Brassell	Doss	Graham	Hill

Hobbie	Mays	Owen (Baldwin)	Stembridge
Holladay	McCorquodale	Owens (W)	Stubbs
Jackson (F)	McDonald	Owens (W.E.)	Tuck
Jackson (T)	McElhaney	Paulk	Turnham
Jones	McLain	Pearson	Waggoner
Laxson	Meade	Pennington	Watkins
Lemley	Meeks	Perloff	Weeks
Lybrand	Melton	Pruitt	Williams
Lyons	Merrill	Robertson	Wood
Malone	Money	Shumate	Wright
Manley	Nettles	Snell	Yeilding
Marr	Neville	Starnes	Young
Mathews			

—89

And the bill:

H. 1137. To further amend Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) Entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owens (W.E.)
Adwell	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pearson
Bank	Foshee	Lybrand	Pennington
Bassett	Gafford	Lyons	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Blanton	Graham	Marr	Shumate
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Starnes
Cherner	Hain	McCorquodale	Stembridge
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Turnham
Cook (Coffee)	Haygood	Melton	Waggoner
Crawford	Headley	Merrill	Watkins
Culver	Higginbotham	Money	Williams
Dill		Nettles	Wood
Dobbs	Hobbie	Neville	Wright
Downing	Holladay	Owen (Baldwin)	Yeilding
Drake	Jackson (F)	Owens (W)	Young

—84

And the bill:

H. 1138. To authorize counties with a population of 400,000 or more according to the last or any succeeding Federal Census to levy the license

taxes on the privilege of issuing or using trading stamps in such counties not in excess of those which Act No. 110 (H. 182), approved February 14, 1956 (Acts of Ala., 1956 Special Sessions, p. 166) levies for such counties on such privilege, to provide when such act shall become effective, to repeal said Act No. 110 (H. 182) and provide when such repeal shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 2.

Yeas:

Mr. Speaker	Drake	Lemley	Owens (W.E.)
Adwell	Edington	Lybrand	Paulk
Agee	Ellis	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Garrett	Marr	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Shumate
Bolton	Grayson	McCorquodale	Snell
Brannan	Hain	McElhaney	Starnes
Brassell	Hardin	McLain	Stembridge
Cherner	Harper	Meade	Stubbs
Collier	Harris	Meeks	Tuck
Collins (C)	Haygood	Melton	Turnham
Collins (W)	Headley	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Holladay	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jones	Owens (W)	Young
Downing	Laxson		

—82

Nays: Messrs. Gafford and Jackson (T).

—2

And the bill:

H. 1088. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Huntsville in Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Garrett	Holladay
Adwell	Cook (Coffee)	Gloor	Jackson (F)
Agee	Crawford	Graham	Jackson (T)
Bank	Culver	Grainger	Jones
Bassett	Dill	Grayson	Laxson
Beck	Dobbs	Hain	Lemley
Berryman (W)	Downing	Hardin	Lybrand
Blanton	Drake	Harper	Lyons
Brannan	Edington	Harris	Malone
Brassell	Ellis	Haygood	Manley
Cherner	Fine	Headley	Marr
Collier	Foshee	Higginbotham	Mathews
Collins (C)	Gafford	Hill	Mays

McCorquodale	Money	Pennington	Tuck
McDonald	Nettles	Perloff	Waggoner
McElhaney	Neville	Pruitt	Watkins
McLain	Owen (Baldwin)	Robertson	Williams
Meade	Owens (W)	Shumate	Wood
Meeks	Owens (W.E.)	Snell	Wright
Melton	Paulk	Stembridge	Yeilding
Merrill	Pearson	Stubbs	Young

—84

RECESS

On motion of Mr. Watkins, the house recessed for twenty minutes, from 4:05 P. M. until 4:25 P. M.

HOUSE RECONVENED

The hour of 4:25 P. M. having arrived, the House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1157. Proposing an amendment to the Constitution relating to the levying of a special school tax in School District No. 1, Madison County, Alabama, which comprises all of Madison County, Alabama except for the City of Huntsville, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Gafford	Lyons	Paulk
Bank	Graham	Malone	Pennington
Bassett	Grainger	Manley	Perloff
Beck	Hain	Mays	Pruitt
Blanton	Hardin	McDonald	Sessions
Brannan	Harris	McElhaney	Shumate
Cherner	Hill	McLain	Smith
Cook (Coffee)	Hobbie	Meade	Starnes
Cook (Jefferson)	Holladay	Meeks	Stembridge
Crawford	House	Melton	Tuck
Dill	Jackson (F)	Merrill	Williams
Drake	Jones	Nettles	Wood
Edington	Laxson	Neville	Yeilding
Ellis	Lemley	Owen (Baldwin)	Young
Foshee	Lybrand	Owens (W)	

—59

And the bill:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

Was read a third time at length and passed.

Yeas 58; Nay 1.

Yeas:

Mr. Speaker	Fine	Malone	Perloff
Agee	Foshee	Manley	Pruitt
Bank	Gafford	McDonald	Robertson
Bassett	Graham	McElhaney	Sessions
Beck	Grainger	McLain	Shumate
Blanton	Hain	Meade	Starnes
Brannan	Harris	Meeks	Stembridge
Cameron	Headley	Melton	Tuck
Cherner	Hill	Merrill	Watkins
Cook (Coffee)	Holladay	Nettles	Williams
Cook (Jefferson)	House	Owen (Baldwin)	Wood
Crawford	Jackson (F)	Owens (W)	Wright
Dill	Lemley	Paulk	Yeilding
Downing	Lybrand	Pennington	Young
Edington	Lyons		

—58

Nay: Mr. Collins (W).

—1

And the bill:

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed \$5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Owen (Baldwin)
Agee	Edington	Lyons	Owens (W)
Bank	Fine	Malone	Paulk
Bassett	Foshee	Manley	Pennington
Beck	Gloor	Marr	Perloff
Blanton	Graham	Mays	Pruitt
Brannan	Grainger	McCorquodale	Robertson
Brown	Hain	McDonald	Sessions
Cameron	Hardin	McElhaney	Shumate
Cherner	Harris	McLain	Stembridge
Collins (C)	Headley	Meade	Tuck
Collins (W)	Higginbotham	Meeks	Williams
Cook (Coffee)	Holladay	Melton	Wood
Cook (Jefferson)	House	Merrill	Wright
Crawford	Jackson (F)	Nettles	Yeilding
Dill	Lemley	Neville	Young
Downing			

—65

And the bill:

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen and fire fighters employed by any city in such counties; to repeal conflicting laws.

Was taken up.

Mr. Perloff offered the following amendment to the bill, H. 1173:

Amend H. B. 1173 by striking Section 2 in its entirety and substituting therefor the following:

"Section 2. In all counties coming within the purview of this Act, all policemen employed by any city in the county shall be entitled to one and one-half (1½) times their regular hourly wage for each hour worked in excess of forty (40) hours a week in any one week."

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Owens (W)
Agee	Edington	Lyons	Paulk
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Gafford	Marr	Pruitt
Blanton	Graham	McCorquodale	Robertson
Brannan	Grainger	McDonald	Sessions
Brown	Hain	McElhaney	Shumate
Cameron	Hardin	McLain	Starnes
Cherner	Harris	Meade	Stembridge
Collins (W)	Headley	Meeks	Tuck
Cook (Coffee)	Higginbotham	Melton	Williams
Cook (Jefferson)	Holladay	Merrill	Wood
Crawford	House	Nettles	Wright
Dill	Jackson (F)	Neville	Yeilding
Downing	Lemley	Owen (Baldwin)	Young

—64

REGULAR SESSION

1985

And the bill, H. 1173, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lyons	Paulk
Agee	Gafford	Malone	Pennington
Bassett	Gloor	Manley	Perloff
Beck	Graham	Marr	Pruitt
Blanton	Hain	McCorquodale	Robertson
Brannan	Hardin	McElhaney	Sessions
Brown	Harris	McLain	Shumate
Cameron	Headley	Meade	Starnes
Cherner	Higginbotham	Meeks	Stembridge
Collins (W)	Holladay	Melton	Tuck
Crawford	Jackson (F)	Merrill	Williams
Dill	Jones	Nettles	Wood
Downing	Laxson	Neville	Yeilding
Edington	Lemley	Owen (Baldwin)	Young
Fine	Lybrand	Owens (W)	

—59

And the bill:

H. 1174. To amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, to provide funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a county health department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Paulk
Agee	Edington	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Gafford	Marr	Pruitt
Blanton	Gloor	Mays	Robertson
Brannan	Graham	McCorquodale	Sessions
Brown	Hain	McDonald	Shumate
Cameron	Hardin	McLain	Starnes
Cherner	Harris	Meade	Steagall
Collins (C)	Headley	Meeks	Stembridge
Collins (W)	Higginbotham	Melton	Tuck
Cook (Coffee)	Holladay	Merrill	Williams
Cook (Jefferson)	House	Nettles	Wright
Crawford	Jackson (F)	Neville	Yeilding
Dill	Jones	Owen (Baldwin)	Young
Downing	Lemley	Owens (W)	

—67

And the bill:

H. 1175. To amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as to provide funds from the general funds of the several incor-

porated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lemley	Paulk
Agee	Downing	Lybrand	Pearson
Bank	Drake	Lyons	Pennington
Bassett	Edington	Malone	Perloff
Beck	Fine	Manley	Pruitt
Berryman (W)	Foshee	Marr	Robertson
Blanton	Gafford	Mays	Sessions
Bolton	Gloor	McCorquodale	Shumate
Brannan	Graham	McDonald	Starnes
Brown	Grainger	McLain	Steagall
Cherner	Grayson	Meade	Stembridge
Collier	Hain	Meeks	Tuck
Collins (C)	Hardin	Melton	Williams
Collins (W)	Headley	Merrill	Wood
Cook (Coffee)	Higginbotham	Nettles	Wright
Cook (Jefferson)	Hill	Neville	Yeilding
Crawford	House	Owen (Baldwin)	Young
Dill	Laxson	Owens (W)	

—71

And the bill:

H. 1115. Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

Was taken up.

Mr. Graham offered the following amendment to the bill, H. 1115:

In Section 3 strike out the words and figures, two hundred dollars (\$200), and insert in lieu thereof the following words and figures: two hundred fifty dollars (\$250)

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Messrs.:	Brown	Doss	Grayson
Agee	Cameron	Downing	Hain
Bank	Cherner	Drake	Hardin
Bassett	Collier	Edington	Harris
Beck	Collins (W)	Fine	Higginbotham
Berryman (W)	Cook (Coffee)	Foshee	Hill
Blanton	Crawford	Gafford	Jackson (F)
Bolton	Dill	Gloor	Laxson
Brannan	Dobbs	Grainger	Lemley

Lybrand	Meade	Paulk	Starnes
Lyons	Meeks	Pearson	Stembridge
Malone	Melton	Pennington	Tuck
Manley	Merrill	Perloff	Williams
Marr	Nettles	Pruitt	Wood
Mays	Neville	Robertson	Wright
McDonald	Owen (Baldwin)	Sessions	Young
McLain	Owens (W)	Shumate	

—66

And the bill, H. 1115, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Pearson
Agee	Edington	Lyons	Pennington
Bank	Fine	Malone	Perloff
Bassett	Foshee	Manley	Pruitt
Beck	Gafford	Marr	Robertson
Berryman (W)	Gloor	Mays	Sessions
Blanton	Graham	McDonald	Shumate
Brannan	Grainger	McLain	Slate
Brown	Grayson	Meade	Starnes
Cameron	Hain	Meeks	Stembridge
Collier	Hardin	Melton	Tuck
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Laxson	Owens (W)	Young
Downing	Lemley	Paulk	

—67

And the bill:

H. 1181. Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson
Agee	Drake	Lybrand	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Gloor	Manley	Robertson
Berryman (W)	Graham	Marr	Sessions
Blanton	Grainger	Mays	Shumate
Bolton	Grayson	McLain	Slate
Brannan	Hain	Meade	Springer
Brown	Hardin	Meeks	Starnes
Cameron	Harris	Melton	Stembridge
Collier	Headley	Merrill	Tuck
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wood
Cook (Jefferson)	House	Owen (Baldwin)	Wright
Crawford	Jackson (F)	Owens (W)	Yeilding
Dill	Jones	Paulk	Young
Dobbs	Laxson		

—70

And the bill:

H. 1186. To authorize the governing bodies of all counties having populations of not less than 100,000 nor more than 115,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of any authority pursuant to this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Lybrand	Pearson
Agee	Edington	Lyons	Pennington
Bank	Fine	Malone	Perloff
Bassett	Foshee	Manley	Pruitt
Beck	Gafford	Marr	Robertson
Berryman (W)	Gloor	Mays	Sessions
Blanton	Grainger	McDonald	Shumate
Brannan	Hain	McLain	Slate
Brown	Hardin	Meade	Starnes
Cameron	Harris	Meeks	Stembridge
Collier	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	House	Neville	Wood
Crawford	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jones	Owens (W)	Yeilding
Dill	Laxson	Paulk	Young
Dobbs	Lemley		

—70

And the bill:

H. 1231. Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Lemley
Agee	Cook (Jefferson)	Grayson	Lybrand
Bank	Crawford	Hain	Lyons
Bassett	Dill	Hardin	Malone
Beck	Dobbs	Harris	Manley
Berryman (W)	Downing	Headley	Marr
Blanton	Drake	Higginbotham	Mays
Bolton	Edington	Hill	McDonald
Brannan	Fine	House	Meade
Brown	Foshee	Jackson (F)	Meeks
Collier	Gafford	Jones	Melton
Collins (W)	Gloor	Laxson	Merrill

Nettles	Perloff	Smith	Williams
Neville	Pruitt	Starnes	Wood
Owens (W)	Sessions	Stembridge	Wright
Paulk	Shumate	Tuck	Yeilding
Pearson	Slate	Waggoner	Young
Pennington			

—69

And the bill:

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide a clerk hire allowance for the judge of probate in such counties.

Was taken up.

Mr. Shumate offered the following amendment to the bill, H. 1232:

In the title strike out the words and figures following the semicolon, and insert in lieu thereof the following: to provide clerk hire allowances for the judge of probate and for the sheriffs in such counties.

Also, in Section 1, strike out the period at the end of the first sentence and insert in lieu thereof the following: , and shall provide the sheriff a clerk hire allowance of \$1200 per year payable out of the general fund.

Also, in said Section 1, in the last sentence thereof, add the letter s to the word allowance where it appears twice in such sentence.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Laxson	Paulk
Bank	Edington	Lemley	Pearson
Bassett	Fine	Lybrand	Pennington
Beck	Foshee	Lyons	Perloff
Berryman (W)	Gafford	Malone	Pruitt
Blanton	Gloor	Manley	Sessions
Bolton	Graham	Marr	Shumate
Brannan	Grainger	Mays	Slate
Brown	Grayson	McDonald	Smith
Cherner	Hain	McLain	Springer
Collier	Hardin	Meade	Starnes
Collins (W)	Higginbotham	Meeks	Stembridge
Cook (Coffee)	Hill	Melton	Tuck
Cook (Jefferson)	Hobbie	Merrill	Waggoner
Crawford	Holladay	Nettles	Williams
Dill	House	Neville	Yeilding
Dobbs	Jackson (F)	Owen (Baldwin)	Young
Doss			

—73

And the bill, H. 1232, as thus amended:

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide clerk hire allowances for the judge of probate and for the sheriffs in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jones	Owens (W)
Bank	Edington	Laxson	Paulk
Bassett	Fine	Lemley	Pearson
Beck	Gafford	Lybrand	Pennington
Berryman (W)	Gloor	Lyons	Pruitt
Blanton	Graham	Malone	Sessions
Bolton	Grainger	Manley	Shumate
Brannan	Grayson	Marr	Slate
Brown	Hain	Mays	Smith
Burgess	Hardin	McCorquodale	Springer
Collier	Harris	McLain	Starnes
Collins (W)	Headley	Meade	Stembridge
Cook (Jefferson)	Higginbotham	Meeks	Tuck
Crawford	Hill	Melton	Waggoner
Dill	Hobbie	Merrill	Yeilding
Dobbs	Holladay	Nettles	Young
Doss	House	Neville	

—71

And the bill:

H. 1240. Relating to counties having populations of not less than 16,150 nor more than 17,250, according to the most recent federal decennial census; to fix the compensation of the members of the county board of education in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Paulk
Agee	Edington	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Gloor	Malone	Sessions
Blanton	Graham	Manley	Shumate
Bolton	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brown	Hain	McCorquodale	Starnes
Cherner	Hardin	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Collins (W)	Headley	Melton	Tuck
Cook (Coffee)	Higginbotham	Merrill	Waggoner
Cook (Jefferson)	Hill	Nettles	Williams
Crawford	Hobbie	Neville	Wood
Dill	House	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	Young

—72

And the bill:

H. 1254. To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W)
Agee	Fine	Lemley	Paulk
Bank	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Beck	Gloor	Malone	Perloff
Berryman (W)	Graham	Manley	Pruitt
Blanton	Grainger	Marr	Sessions
Bolton	Grayson	Mays	Shumate
Brannan	Hain	McCorquodale	Slate
Brown	Hardin	McDonald	Smith
Cherner	Harris	McLain	Starnes
Collier	Headley	Meade	Steagall
Collins (W)	Higginbotham	Meeks	Stembridge
Cook (Coffee)	Hill	Melton	Tuck
Cook (Jefferson)	Hobbie	Merrill	Waggoner
Crawford	House	Nettles	Williams
Dill	Jackson (F)	Neville	Yeilding
Dobbs	Jones	Owen (Baldwin)	Young
Downing			

—73

And the bill:

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula, and to prescribe the method of computing Sheriff's mileage.

Was taken up.

Mr. Neville offered the following amendment to the bill, H. 1255:

In the title strike out the last comma and insert in lieu thereof a semicolon.

In Section 1 close the quotation at the end of Section 11 of said Act No. 106 of 1879, as herein amended and strike out Section 14 of said Act No. 106 in its entirety.

Also insert the following as Section 2 and renumber the remaining sections accordingly:

Section 2. The mileage allowed the sheriff shall be computed from the Courthouse at Eufaula or the Courthouse at Clayton, whichever is nearer, but he shall receive a minimum allowance of one dollar (\$1.00).

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Cherner	Crawford
Agee	Blanton	Collier	Dill
Bank	Bolton	Collins (W)	Dobbs
Bassett	Brannan	Cook (Coffee)	Downing
Beck	Brown	Cook (Jefferson)	Edington

Fine	Holladay	McLain	Pruitt
Foshee	House	Meade	Sessions
Gafford	Jackson (F)	Meeks	Shumate
Gloor	Jones	Melton	Slate
Graham	Laxson	Merrill	Smith
Grainger	Lemley	Nettles	Starnes
Grayson	Lybrand	Neville	Steagall
Hain	Lyons	Owen (Baldwin)	Stembridge
Hardin	Malone	Owens (W)	Tuck
Harris	Manley	Paulk	Waggoner
Headley	Marr	Pearson	Williams
Higginbotham	Mays	Pennington	Yeilding
Hill	McCorquodale	Perloff	Young
Hobbie	McDonald		

—74

And the bill, H. 1255, as thus amended:

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula; and to prescribe the method of computing Sheriff's mileage.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lybrand	Paulk
Agee	Gafford	Lyons	Pearson
Bank	Gloor	Malone	Pennington
Bassett	Graham	Manley	Perloff
Beck	Grainger	Marr	Pruitt
Blanton	Grayson	Mays	Sessions
Brannan	Hain	McCorquodale	Shumate
Collier	Hardin	McDonald	Slate
Collins (W)	Harris	McLain	Smith
Cook (Coffee)	Headley	Meade	Starnes
Crawford	Higginbotham	Meeks	Steagall
Dill	Hill	Melton	Stembridge
Dobbs	Hobbie	Merrill	Tuck
Doss	Jackson (F)	Nettles	Waggoner
Downing	Jones	Neville	Williams
Edington	Laxson	Owen (Baldwin)	Yeilding
Fine	Lemley	Owens (W)	Young

—68

And the bill:

H. 1256. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court; to authorize the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

Was taken up.

Mr. Neville offered the following amendment to the bill, H. 1256:

In Section 6(g) strike out the period at the end of the section, and insert in lieu thereof the following:

; provided, that the clerk shall not have the right to suspend a sentence and remit fines or costs as provided in subsection 6(f).

Also in Section 12(a), in the first sentence thereof, strike out the words and figures, the ex officio judge, and the words and figures, the deputy clerk of the court,.

Also strike out Section 27 in its entirety and insert in lieu thereof the following:

Section 27. The judge of this court shall be furnished by the secretary of state, free of charge, a complete set of the Code of Alabama, together with the current pocket supplements thereto; and such Code shall be kept up to date.

Also in Section 32, strike out the period at the end thereof and insert in lieu thereof the following:

; provided, however, a minimum mileage charge of \$1.00 shall be allowed in all cases.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W)
Agee	Fine	Lemley	Paulk
Bank	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Beck	Gloor	Malone	Perloff
Blanton	Graham	Manley	Pruitt
Bolton	Grainger	Marr	Sessions
Brannan	Grayson	Mays	Shumate
Brown	Hain	McCorquodale	Slate
Cherner	Hardin	McDonald	Smith
Collier	Harris	McLain	Springer
Collins (W)	Headley	Meade	Starnes
Cook (Coffee)	Higginbotham	Meeks	Steagall
Cook (Jefferson)	Hill	Melton	Stembridge
Crawford	Hobbie	Merrill	Waggoner
Dill	Holladay	Nettles	Williams
Dobbs	House	Neville	Yeilding
Doss	Jackson (F)	Owen (Baldwin)	Young
Downing	Jones		

—74

And the bill, H. 1256, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Bolton	Cherner
Bank	Berryman (W)	Brannan	Collier

Collins (W)	Hain	Manley	Pennington
Cook (Coffee)	Hardin	Marr	Perloff
Cook (Jefferson)	Harris	Mays	Pruitt
Crawford	Headley	McCorquodale	Sessions
Dill	Higginbotham	McDonald	Shumate
Dobbs	Hill	McLain	Slate
Doss	Hobbie	Meade	Smith
Downing	Holladay	Meeks	Springer
Edington	House	Melton	Starnes
Fine	Jackson (F)	Merrill	Steagall
Foshee	Jones	Nettles	Stembridge
Gafford	Laxson	Neville	Tuck
Gloor	Lemley	Owen (Baldwin)	Waggoner
Graham	Lybrand	Owens (W)	Williams
Grainger	Lyons	Paulk	Yeilding
Grayson	Malone	Pearson	Young

—76

And the bill:

H. 1257. To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Edington	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Gloor	Malone	Sessions
Blanton	Graham	Manley	Shumate
Bolton	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brown	Hain	McCorquodale	Springer
Burgess	Hardin	McDonald	Starnes
Cherner	Harris	Meade	Steagall
Collier	Headley	Meeks	Stembridge
Collins (W)	Higginbotham	Melton	Tuck
Cook (Coffee)	Hill	Merrill	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Williams
Crawford	Holladay	Neville	Wood
Dobbs	House	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Owens (W)	Young

—76

And the bill:

H. 1258. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Was taken up.

Mr. Neville offered the following amendment to the bill, H. 1258:

In Section 5(g) strike out the period at the end of the section and insert in lieu thereof the following:

; provided that the clerk shall not have the right to suspend a sentence and remit fines or costs as provided in subsection 5(f).

Also in Section 7(b) strike out the first two sentences in their entirety and substitute in lieu thereof the following: Regular sessions of the Court for the trial of civil and criminal cases shall be held at the county courthouse in Clayton on the first Wednesday of each month. Regular sessions of the Court for the trial of civil and criminal cases shall be held at a suitable place provided in Clio by the county governing body, on the third Wednesday of each month. The judge shall set a case for trial at Clayton or at Clio, as requested in writing by the defendant, provided, however, that if such request is made after the case has once been set and witnesses have been summoned, the Judge may, in his discretion, grant such request and if he grants such request he may make the taxing of costs a condition for resetting the case. If there are conflicting requests from co-defendants, the Judge may set the case for trial in either Clayton or Clio, in his discretion.

Also in Section 11(a), in the first sentence in said section, strike out the words and figures, "the ex-officio judge," and the words and figures, "or the deputy clerk of the court,".

Also strike out Section 26 in its entirety and substitute in lieu thereof the following:

Section 26. The judge of this court shall be furnished by the secretary of state, free of charge, a complete set of the Code of Alabama, together with the current pocket supplements thereto; and such Code shall be kept up to date.

Also in Section 31 strike out the period at the end thereof, and insert in lieu thereof the following: ; provided, however, a minimum mileage charge of \$1.00 shall be allowed in all cases.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Drake	Laxson	Pearson
Bassett	Edington	Lemley	Pennington
Beck	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Pruitt
Blanton	Gafford	Malone	Robertson
Bolton	Graham	Manley	Sessions
Brannan	Grainger	Marr	Shumate
Brown	Grayson	Mays	Slate
Burgess	Hain	McCorquodale	Smith
Cherner	Hardin	McDonald	Springer
Collier	Harris	Meade	Starnes
Collins (W)	Headley	Meeks	Stembridge
Cook (Coffee)	Higginbotham	Melton	Tuck
Cook (Jefferson)	Hill	Merrill	Waggoner
Crawford	Hobbie	Nettles	Williams
Dill	Holladay	Neville	Wood
Dobbs	House	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Owens (W)	Young

And the bill, H. 1258, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Agee	Downing	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bolton	Grainger	Mays	Slate
Brannan	Grayson	McCorquodale	Smith
Brown	Hain	McDonald	Springer
Burgess	Hardin	Meade	Starnes
Cherner	Harris	Meeks	Steagall
Collier	Headley	Melton	Stembridge
Collins (W)	Higginbotham	Merrill	Tuck
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wood
Crawford	House	Owen (Baldwin)	Yeilding
Dill	Jackson (F)	Owens (W)	Young
Dobbs	Jones	Paulk	

—75

And the bill:

H. 1259. To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each division; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Gafford	Malone	Robertson
Berryman (W)	Gloor	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bolton	Grainger	Mays	Slate
Brannan	Grayson	McCorquodale	Smith
Brown	Hain	McDonald	Springer
Burgess	Hardin	Meade	Starnes
Cherner	Harris	Meeks	Steagall
Collier	Headley	Melton	Stembridge
Collins (W)	Higginbotham	Merrill	Tuck
Cook (Coffee)	Hill	Nettles	Waggoner
Crawford	Hobbie	Neville	Williams
Dill	House	Owen (Baldwin)	Wood
Dobbs	Jackson (F)	Owens (W)	Yeilding
Doss	Jones	Paulk	Young

—76

And the bill:

H. 1260. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Pennington
Agee	Fine	Malone	Perloff
Bassett	Gafford	Manley	Pruitt
Beck	Graham	Marr	Robertson
Berryman (W)	Grainger	Mays	Sessions
Blanton	Grayson	McCorquodale	Shumate
Bolton	Hain	McDonald	Slate
Brown	Hardin	Meade	Smith
Burgess	Harris	Meeks	Starnes
Cherner	Headley	Melton	Steagall
Collier	Higginbotham	Merrill	Stembridge
Collins (W)	Hill	Nettles	Tuck
Cook (Coffee)	Hobbie	Neville	Williams
Crawford	House	Owen (Baldwin)	Wood
Dobbs	Jones	Owens (W)	Yeilding
Doss	Laxson	Paulk	Young
Downing	Lemley	Pearson	

—67

And the bill:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Paulk
Agee	Doss	Laxson	Pearson
Bank	Downing	Lemley	Pennington
Bassett	Edington	Lybrand	Perloff
Beck	Fine	Malone	Pruitt
Berryman (W)	Foshee	Manley	Shumate
Blanton	Gafford	Marr	Slate
Bolton	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	Meade	Stembridge
Cherner	Hardin	Meeks	Tuck
Collier	Harris	Melton	Waggoner
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Owens (W)	Young
Dill	Jackson (F)		

—70

And the bill:

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Gafford	Manley	Robertson
Berryman (W)	Graham	Marr	Sessions
Blanton	Grainger	Mays	Shumate
Bolton	Grayson	McCorquodale	Slate
Brannan	Hain	McDonald	Smith
Brown	Hardin	McElhaney	Starnes
Burgess	Harris	Meade	Steagall
Cherner	Headley	Meeks	Stembridge
Collier	Higginbotham	Melton	Tuck
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Hobbie	Nettles	Wood
Crawford	House	Owen (Baldwin)	Yeilding
Dill	Jackson (F)	Owens (W)	Young
Dobbs	Jones	Paulk	

—71

And the bill:

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Fine	Lybrand	Pearson
Bank	Foshee	Lyons	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Gloor	Manley	Pruitt
Berryman (W)	Graham	Marr	Robertson
Blanton	Grainger	Mays	Shumate
Bolton	Grayson	McCorquodale	Slate
Brannan	Hain	McDonald	Smith
Brown	Hardin	McElhaney	Snell
Cherner	Harris	Meade	Starnes
Collier	Headley	Meeks	Steagall
Collins (W)	Higginbotham	Melton	Stembridge
Cook (Coffee)	Hill	Merrill	Tuck
Crawford	Hobbie	Nettles	Williams
Culver	House	Neville	Wood
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Doss	Jones	Owens (W)	Young
Downing	Laxson		

—74

And the bill:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project

of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all counties of this state with populations of not less than 49,500 nor more than 50,500.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Edington	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Robertson
Berryman (W)	Gloor	Malone	Sessions
Blanton	Graham	Manley	Shumate
Bolton	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Snell
Brown	Hardin	McElhaney	Starnes
Cherner	Harris	Meade	Steagall
Collier	Haygood	Meeks	Stembridge
Collins (W)	Headley	Melton	Tuck
Cook (Coffee)	Higginbotham	Merrill	Waggoner
Cook (Jefferson)	Hill	Nettles	Williams
Crawford	Hobbie	Neville	Wood
Dill	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Owens (W)	Young
Doss			

—77

And the bill:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Lyons
Agee	Cook (Jefferson)	Grayson	Malone
Bank	Crawford	Hain	Manley
Bassett	Culver	Hardin	Marr
Beck	Dobbs	Harris	Mays
Berryman (W)	Doss	Headley	McCorquodale
Blanton	Downing	Higginbotham	McDonald
Bolton	Edington	Hill	McElhaney
Brannan	Ellis	House	Meade
Brassell	Fine	Jackson (F)	Melton
Brown	Foshee	Jones	Merrill
Cherner	Gafford	Laxson	Nettles
Collier	Gloor	Lemley	Neville
Collins (W)	Graham	Lybrand	Owen (Baldwin)

Owens (W)	Pruitt	Smith	Tuck
Paulk	Robertson	Snell	Williams
Pearson	Sessions	Starnes	Wood
Pennington	Shumate	Steagall	Yeilding
Perloff	Slate	Stembridge	Young

—76

And the bill:

H. 1008. To amend Act No. 165, No. 215, 1965 Special Session, Vol. I, page 216, approved March 30, 1965, relating to counties having a population of not less than one hundred fifty thousand nor more than three hundred thousand, fixing the fee for the issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fee.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Ellis	Laxson	Owens (W)
Agee	Fine	Lemley	Paulk
Bank	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Beck	Gloor	Malone	Perloff
Berryman (W)	Graham	Manley	Pruitt
Brannan	Grainger	Mays	Robertson
Brassell	Grayson	McCorquodale	Shumate
Cameron	Hain	McDonald	Smith
Cherner	Hardin	McElhaney	Springer
Collier	Harris	Meade	Starnes
Cook (Coffee)	Headley	Meeks	Stembridge
Cook (Jefferson)	Higginbotham	Melton	Tuck
Crawford	Hill	Merrill	Waggoner
Dill	Hobbie	Money	Williams
Dobbs	House	Nettles	Wood
Downing	Jackson (F)	Neville	Yeilding
Drake	Jones	Owen (Baldwin)	Young
Edington			

—72

And the bill:

H. 1202. To propose an Amendment to the Constitution of Alabama relating to Chambers County, so as to provide further for the use of the proceeds of the special property tax authorized to be levied pursuant to Amendment No. 72 for hospital and public health purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Brannan	Dill	Gafford
Agee	Brassell	Dobbs	Gloor
Bank	Brown	Downing	Graham
Bassett	Cherner	Drake	Grainger
Beck	Collier	Edington	Grayson
Berryman (W)	Cook (Coffee)	Ellis	Hain
Blanton	Cook (Jefferson)	Fine	Hardin
Bolton	Crawford	Foshee	Harris

Headley	Mays	Owen (Baldwin)	Snell
Higginbotham	McCorquodale	Owens (W)	Springer
Jackson (F)	McDonald	Paulk	Starnes
Jackson (T)	McLain	Pearson	Stembridge
Jones	Meade	Pennington	Tuck
Laxson	Meeks	Perloff	Waggoner
Lemley	Melton	Pruitt	Williams
Lybrand	Merrill	Robertson	Wood
Lyons	Money	Sessions	Yeilding
Malone	Nettles	Shumate	Young
Manley	Neville	Smith	

—75

And the bill:

H. 1099. To amend Act No. 240, H. 627, approved July 29, 1947, (Local Acts of 1947, p. 165) entitled, "An Act to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County but not for the elected officials", to provide for an increase in the pension or retiring allowance authorized by said Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Fine	Laxson	Paulk
Bank	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Beck	Gloor	Malone	Perloff
Blanton	Graham	Manley	Pruitt
Bolton	Grainger	Mays	Robertson
Brannan	Grayson	McCorquodale	Sessions
Brassell	Hain	McDonald	Shumate
Brown	Hardin	McElhaney	Smith
Cameron	Harris	McLain	Snell
Cherner	Haygood	Meade	Springer
Collier	Headley	Meeks	Starnes
Cook (Coffee)	Higginbotham	Melton	Stembridge
Crawford	Hill	Merrill	Tuck
Dill	Hobbie	Money	Waggoner
Dobbs	House	Nettles	Williams
Downing	Jackson (F)	Neville	Wood
Drake	Jackson (T)	Owen (Baldwin)	Yeilding
Edington	Jones	Owens (W)	Young
Ellis			

—76

And the bill:

H. 1100 (with substitute). To amend Act No. 176 of the Legislature, approved September 28, 1959, (Local Acts of 1959, p. 702) and Act No. 240 of the Legislature approved, July 29, 1947, (Local Acts of 1947, p. 165) to authorize and require the Board of Revenue of Montgomery County, Alabama to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RETIREMENT SYSTEM TO PROVIDE RETIREMENT ALLOWANCES AND OTHER BENEFITS FOR CERTAIN EMPLOYEES OF THE COUNTY OF MONTGOMERY, ALABAMA, AND ULTIMATELY TO SUPERSEDE THE EXISTING PENSION SYSTEM ESTABLISHED BY ACT NO. 240 OF THE LEGISLATURE OF ALABAMA OF 1947 AND BY ACT NO. 176 OF THE LEGISLATURE OF ALABAMA OF 1959.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions

The following words and phrases as used in this Act, unless a different meaning is plainly required by the context, shall have the following meanings.

(1) "Retirement System" shall mean the Retirement System for Employees of Montgomery County, as defined in Section 2 of this Act.

(2) "County" shall mean the County of Montgomery, Alabama.

(3) "Board" shall mean the Board of Revenue of the County.

(4) "Medical Board" shall mean the board of physicians provided for in Section 5, Subsection (5), of this Act.

(5) "Employee" shall mean any regular and permanent officer or employee of the County, excluding any such employee whose compensation is paid on a per diem basis and excluding any elected official. In all cases of doubt, the Board shall decide who is an employee within the meaning of this Act.

(6) "Member" shall mean any person included in the membership of the Retirement System as provided in Section 3 of this Act.

(7) "Service" shall mean service in the employment of and paid for by the County, including service in the armed forces of the United States rendered between periods of County service, and service as a temporary acting official of the County rendered during the period the regular elective officials served in the armed forces of the United States. Service while in the employment of the County and paid for partially by the City of Montgomery, Alabama, and the State of Alabama shall also be included if contributions on account of such service are made in accordance with Section 3, Subsection (4) of this Act.

(8) "Creditable service" shall mean service for which credit is allowable as provided in Section 4, Subsection (3), of this Act.

(9) "Retirement allowance" shall mean annual payments for life. All retirement allowances shall be payable in monthly installments continuing to the last payment prior to death.

(10) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided by the Retirement System.

(11) "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member and all the amounts deducted from his compensation while covered under the Pension Plan or the Pension System credited to his individual account in account in the Members' Account, as provided in Section 7, Subsection (1), of this Act.

(12) "Earnable compensation" shall mean the full rate of compensation that would be payable to a member if he worked the full normal working time. In cases where compensation includes maintenance, the Board shall fix the value of that part of compensation not paid in money.

(13) "Highest monthly compensation" shall mean the highest monthly earnable compensation of a member during any month of his creditable service.

(14) "Regular interest" shall mean interest at the rate established from time to time by the Board as provided in Section 7, Subsection (2), Paragraph (h), of this Act.

(15) "Pension Plan" shall mean the pension system for County employees established by Act No. 240, H. 627, approved July 29, 1947 (Local Acts of 1947, p. 165 as amended) as said system existed immediately prior to the operative date of this Act.

(16) "Pension System" shall mean the Montgomery County Employees' Retirement System established by Act No. 176, S. 272, approved September 28, 1959, Local Acts of 1959, p. 702, as said system existed immediately prior to the operative date of this Act.

(17) "Operative date" shall mean the date the Retirement System begins operation as provided in Section 2 of this Act.

(18) The masculine pronoun shall include the feminine pronoun.

Section 2. Name and Date Operative.

The Board of Revenue is hereby authorized to establish a retirement system for the purpose of providing retirement allowances and other benefits under the provisions of this Act for employees of the County of Montgomery. The Retirement System shall begin operation as of the date set by the Board by Resolution or Resolutions adopted by the Board, but in no event beyond ninety days after the effective date of this Act. It shall be known as the "Retirement System for Employees of Montgomery County" under which name all of its business shall be transacted, all of its funds invested and all of its cash and securities and other property held in trust for the purpose for which received.

Section 3. Membership.

(1) Any person who becomes an employee on or after the operative date shall, as a condition of his employment, become a member of the Retirement System on the first day of the calendar month following his employment.

(2) Any person in service on the operative date who became an employee prior thereto and who on such date is not a member of the Pension Plan or the Pension System shall become a member of the Retirement System as of the operative date.

(3) Any employee in service on the operative date who is covered by the Pension Plan or the Pension System shall file with the Board within thirty days following the operative date on a form prescribed by the Board a notice of his election either to become a member of the Retirement System as of the operative date or to remain covered by the Pension Plan or the Pension System, as the case may be. Upon becoming a member of the Retirement System, such employee shall thereupon cease to be covered by the provisions of the Pension Plan and the Pension System and shall have no further rights thereunder. Any employee who is not in service on the operative date who is covered by the Pension Plan

or the Pension System on said date shall file an election in the manner set forth above within 30 days following his return to service. Any person already retired under the provisions of the Pension Plan or the Pension System shall not be eligible for membership in the Retirement System.

(4) Anything in this Act to the contrary notwithstanding, any employee whose earnable compensation is paid in whole or in part by the City of Montgomery, Alabama, or the State of Alabama, and the County of Montgomery and who is not otherwise covered by a pension system of the City or the State, or the County, may become a member if otherwise eligible, provided the City, the State and the County contribute to the Retirement System on his account in proportion to the sums which the City, the State and the County pay as salary or wages for such an employee.

(5) The Board shall classify each member on the basis of his duties in one of the following classes:

Class I. General County Employees.

Class II. Law Enforcement Employees, including Chief Deputy Sheriff; Deputy Sheriff Captains; Deputy Sheriff Lieutenants; Deputy Sheriff Civil Officers; Deputy Sheriffs; Deputy Sheriff Matrons; or Deputy Sheriffs of whatever rank or rate that may hereafter be provided for, also any Jail Warden; Captains; Deputy Jail Wardens; Identification Officers; Jailers; Jail Stewards, or any other jail personnel hereinafter provided for, but nothing in this Act shall be construed to include clerical employees, clerks or clerk typists, employed in the Sheriff's Department. Such clerical employees, clerks or clerk typists shall be in Class I.

The Board shall certify to the member of the class in which he is placed. When the duties of a member so require, the Board may change his classification and shall certify to him the class to which he has been reclassified, except that no member having fifteen or more years of service in one class may be so reclassified.

(6) Should any member in any period of seven consecutive years after last becoming a member be absent from service more than six years, or should he withdraw his accumulated contributions or die or retire under the provisions of this Act, he shall thereupon cease to be a member.

Section 4. Service Creditable.

(1) Each member shall receive service credit for all service rendered while a member of the Retirement System since he became a member, or since he last became a member in the event of a break in his membership.

(2) In addition, any employee who becomes a member pursuant to Section 3, Subsection (3), of this Act shall be credited with all service prior to the operative date which is creditable to him as of that date pursuant to the provisions of the Pension Plan or the Pension System. When membership ceases other than by retirement, the employee's credit for such service shall be cancelled and should he again become a member he shall not be entitled to credit for service prior to the operative date.

(3) Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of his service credit while a member and, if he continues in service to retirement without a break in membership, any service prior to the operative date creditable under the provisions of Subsection (2) of this Section.

(4) Anything in this Act to the contrary notwithstanding, if an employee is absent due to service in the armed forces and returns to County service within ninety days after becoming entitled to discharge or within ninety days after hospitalization continuing after discharge for a period of not more than two years, credit for such period of absence commencing prior to the operative date shall be allowed as if such service had been service prior to the operative date as an employee of the County with compensation at the employee's rate of compensation in effect immediately prior to such absence, provided that, in no event shall an employee who becomes a member pursuant to Section 3, Subsection (3), of this Act be credited with more service prior to the operative date than he was entitled to receive under the Pension Plan or the Pension System for the comparable period. The period of any such absence commencing on or after the operative date shall be allowed as membership service credit as if such service had been service as an employee of the County with compensation at the member's rate of compensation in effect immediately prior to such absence, provided contributions are made by the member on account of such period.

Section 5. Administration.

(1) The general administration and the responsibility for the proper operation of the Retirement System and for making effective the provisions of this Act are hereby vested in the Board of Revenue of Montgomery County, Alabama.

(2) The Board shall have the power, right and authority from time to time to establish rules and regulations for the administration of the Retirement System and for the transaction of its business.

(3) The Board shall keep in convenient form such data as shall be necessary for actuarial valuation of the Retirement System and for checking the experience of the Retirement System.

(4) The Board shall keep a record of all of its proceedings, which records shall be open to public inspection.

Medical Board

(5) The Board shall designate a Medical Board of one, two or three physicians who are not eligible to participate in the Retirement System. The Medical Board shall arrange for and pass upon all medical examinations required under the provisions of this Act, shall investigate all essential statements and certificates by or on behalf of a member in connection with application for disability retirement, and shall report in writing to the Board its conclusions and recommendations upon all the matters referred to it. The members of the Medical Board shall receive such compensation for their services as the Board shall approve.

Duties of Actuary

(6) The Board shall designate an actuary who shall be the technical adviser of the Board on matters regarding the operation of the Retirement System and who shall perform such other duties as are required in connection therewith. The actuary shall serve at the pleasure of the Board and all contracts with such actuary shall be subject to this provision.

(7) The Board shall adopt for the Retirement System from time to time such mortality, service and other tables as shall be deemed necessary, and on the basis of such tables and regular interest the actuary shall make annually an actuarial valuation of the assets and liabilities of the Retirement System. At least once in each five-year period the

Board shall cause an actuarial investigation to be made into the mortality, service and compensation experience of the members and beneficiaries of the Retirement System.

Section 6. Benefits.

(1) Service Retirement Allowance

(a) The minimum service retirement age for a member in Class I shall be age sixty-two. The minimum service retirement age for a member in Class II shall be the age at which he completes twenty years of creditable service or age fifty-five, whichever occurs later. Any member in service who has attained his minimum service retirement age shall be retired by the Board on a service retirement allowance upon his written application setting forth at what time, not less than thirty nor more than ninety days next following the execution and filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated from service.

(b) Any member in service who has attained age seventy shall be retired forthwith by the Board on a service retirement allowance; provided that upon the request of his department head, approved by the Board, a member who has attained age seventy may be permitted to continue in active service for a period of one year as the result of each such request. More than one such request may be made relative to a person. Notwithstanding an extension of a member's service after he has attained age seventy, such member shall be retired by the Board on a service retirement allowance upon his written application setting forth at what time, not less than thirty nor more than ninety days next following the execution and filing thereof, he desires to be retired.

(c) The annual service retirement allowance for Class I employees shall be equal to one and one-half per centum ($1\frac{1}{2}\%$) of the member's highest monthly compensation, multiplied by the number of months of his creditable service. The annual service allowance shall not exceed twelve times fifty per centum (50%) of the member's highest monthly compensation.

(d) The annual service retirement allowance for Class II employees shall be equal to two per centum (2%) of the member's highest monthly compensation multiplied by the number of months of his creditable service. The annual service retirement allowance shall not exceed twelve times sixty per centum (60%) of the member's highest monthly compensation.

(2) Early Retirement Allowance

(a) A member who has not reached his minimum service retirement age but who has completed fifteen years of creditable service and has attained age fifty-five in the case of a member in Class I, or age fifty in the case of a member in Class II, may be retired from service on an early retirement allowance not less than thirty nor more than ninety days next following receipt by the Board of written application therefor made by the member.

(b) The early retirement allowance shall commence immediately and shall be equal to a service retirement allowance computed on the basis of his highest monthly compensation and creditable service at the time of early retirement, reduced by one-half of one per centum ($\frac{1}{2}\%$) for each month by which his early retirement date precedes the date on which he would have attained his minimum service retirement age had he remained in service.

(3) Disability Retirement Allowance

(a) Upon the application of a member in service or of the head of the department in which the member is employed, any member who has completed ten years of creditable service may be retired by the Board on a disability retirement allowance not less than thirty nor more than ninety days next following the execution and filing of such application; provided that the Medical Board, after a medical examination of such member, shall certify that he is mentally or physically incapacitated for the further performance of duty, that such incapacity did not result from an accident in the actual performance of duty entitling him to Workmen's Compensation or a similar benefit under the laws of the State of Alabama, that such incapacity is likely to be permanent, and that such member should be retired. If the member is entitled to sick leave with pay under the laws, rules and regulations governing County employees, the disability retirement allowance shall not commence until the expiration of such sick leave with pay.

(b) The disability retirement allowance shall be equal to a service retirement allowance computed on the basis of the member's highest monthly compensation and creditable service at the time of disability retirement.

(c) If a member becomes mentally or physically incapacitated for the further performance of duty as the result of an accident occurring in the performance of his duty as a County employee entitling him to Workmen's Compensation or similar benefits payable under the laws of the State of Alabama, he shall be paid his accumulated contributions in a lump sum.

(4) Survivor Allowance

(a) Upon the receipt of proof, satisfactory to the Board, of the death of a member in service who has attained his minimum service retirement age, a survivor allowance shall be paid to the surviving spouse, if any, of the deceased member until the earlier of the death or remarriage of such surviving spouse, provided that his death is not the result of an accident in the actual performance of duty entitling his surviving spouse or children to Workmen's Compensation or a similar benefit under the laws of the State of Alabama. If there is no surviving spouse, or if such spouse dies or remarries before the youngest child of the deceased member has attained age eighteen, the survivor allowance shall be paid to or for the use of the member's child or children under said age, if any, divided in such manner as the Board in its discretion shall determine, to continue until each such child dies or attains said age.

(b) The survivor allowance shall be equal to seventy-five per centum (75%) of the service retirement allowance to which the member would have been entitled had he retired on the date of his death.

(c) Any member may, by written notice filed with the Board, elect that in the event of his death in service after attaining his minimum service retirement age his accumulated contributions shall be payable in the manner provided by Subsection (5), Paragraph (b), of this Section, in lieu of any survivor allowance otherwise payable.

(5) Return of Contributions

(a) Should a member cease to be an employee for any reason other than death or retirement under the provisions of this Act, he shall be paid on demand his accumulated contributions without interest.

(b) Upon the receipt of proof, satisfactory to the Board, of the death of a member prior to retirement, his accumulated contributions

without interest shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the Board, if such person survives him, otherwise to the estate of the member, provided that no survivor allowance is payable under Subsection (4) of this Section.

(c) Upon the receipt of proof, satisfactory to the Board, of the death of a retired member who has not elected the optional benefit provided by Subsection (8) of this Section, the excess, if any, of his accumulated contributions without interest over the sum of the retirement allowance payments received by him shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the Board, if such person survives him, otherwise to the estate of the member.

(d) After three years from the date and time any return of contributions is due an employee, no claim, suit or action may be filed or brought in any court of law or equity or otherwise for the return of such sum.

(e) All sums remaining after being barred by paragraph (d) of this Subsection shall vest in the Retirement System.

(f) Any employee who has more than five years membership service at the time his accumulated contributions are to be paid under Paragraphs (a), (b) or (c) of this Sub-Section 5, shall be paid his accumulated contributions plus an amount equal to one and one-half percent (1½%) of his accumulated contributions.

(6) Re-examination of Beneficiaries Retired on Account of Disability

(a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter, the Board may, and upon his application shall, require any disability beneficiary who has not yet attained his minimum service retirement age to undergo a medical examination, by the Medical Board or by a physician or physicians designated by the Medical Board, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon. Should any disability beneficiary who has not attained his minimum service retirement age refuse to submit to such medical examination, his retirement allowance may be discontinued by the Board until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his retirement allowance may be revoked by the Board.

(b) Should the Medical Board report and certify to the Board that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his highest monthly compensation at retirement, and should the Board concur in such report, then the part of his allowance not provided by his own contributions shall be reduced to an amount which, together with the part of his allowance provided by his own contributions, and the amount earnable by him, shall equal the amount of his highest monthly compensation at retirement. Should his earning capacity be later changed, the amount of his allowance may be further modified, provided that it shall not exceed the amount originally granted.

(7) Restoration of Beneficiaries to Membership

Should a disability beneficiary be restored to or be in service at a compensation equal to or greater than his highest monthly compensation at retirement, or should any other beneficiary be restored to service, his

retirement allowance shall cease, any election of the optional benefit under Subsection (8) of this Section shall become void, he shall again become a member of the Retirement System and shall contribute thereafter at the then prevailing rate. An amount equal to the actuarial reserve held for the part of his retirement allowance provided by his contributions shall be credited to him as accumulated contributions. Any creditable service to which he was entitled when he retired shall be restored to him, and upon subsequent retirement his retirement allowance shall be based on his compensation and creditable service before and after the period of prior retirement; provided that if he does not complete three years of creditable service after his restoration to service, the part of his retirement allowance upon subsequent retirement payable with respect to creditable service rendered before the period of his previous retirement shall be equal to his previous retirement allowance with all of the provisions of the optional benefit under Subsection (8) of this Section restored, if such benefit was elected, with respect to such part of his retirement allowance.

(8) Optional Benefit

(a) Until the first payment on account of his retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable to him into a modified retirement allowance as described below; provided, however, that should he die within thirty days after the first payment on account of his retirement allowance becomes normally due, his optional election shall not be effective and he shall be considered to be a member in service at the time of his death, and any amount payable under Subsection (4) or Subsection (5) of this Section shall be reduced by any retirement allowance payments received by him prior to his death.

(b) The optional benefit shall be a retirement allowance payable during the life of the retired member, equal to ninety per centum (90%) of the retirement allowance which would otherwise have been payable to the retired member, with the provision that upon his death an allowance equal to seventy-five per centum (75%) of the allowance which would otherwise have been payable to the retired member shall be paid to his surviving spouse, if any, until the earlier of the death or remarriage of the surviving spouse. If there is no surviving spouse, or if such spouse dies or remarries before the youngest child of the deceased retired member has attained age eighteen, such allowance shall be paid to or for the use of the retired member's child or children under said age, if any, divided in such manner as the Board in its discretion shall determine, to continue until each such child dies or attains said age.

Section 7. Method of Financing.

All of the assets of the Retirement System shall be credited, according to the purpose for which they are held, among three accounts, namely, the Members' Account, the Accumulation Account, and the Expense Account.

(1) Members' Account

(a) The Members' Account shall be the account in which shall be held the contributions made under the Pension Plan or the Pension System by members who are covered thereunder prior to the operative date and in which shall be accumulated the contributions deducted pursuant to this Act from the compensation of members. The rate of contribution to the Retirement System by the members shall be three and one-half per centum ($3\frac{1}{2}\%$) of the earnable compensation of members in Class I and five per centum (5%) of the earnable compensation of members in Class II. No deduction shall be made from the compensation of a Class I

member who has completed thirty-three and one-third years of creditable service. No deduction shall be made from the compensation of a Class II member who has completed thirty years of creditable service.

(b) The Board shall cause to be deducted from the compensation of each member on each and every payroll for each and every payroll period, such proportion of the member's earnable compensation. In determining the amount earnable by a member in a payroll period, the Board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum of the compensation upon the basis of which such deduction is made.

(c) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction and less other authorized deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment.

(d) The proper authority or officer responsible for making up the payroll shall certify to the Board the amounts deducted on each and every payroll and each of such amounts shall be paid into the Members' Account and credited to the individual account of the member from whose compensation the deduction was made. As of the operative date, there shall be credited to the individual account of each member the amount of his contributions, if any, transferred from the Pension Plan or the Pension System.

(e) The accumulated contributions of a member, paid upon his death or withdrawn by him as provided in this Act, shall be paid from the Members' Account. Upon the retirement of a member, or if a survivor allowance becomes payable on his account, his accumulated contributions shall be transferred from the Members' Account to the Accumulation Account.

(2) Accumulation Account

(a) The Accumulation Account shall be the account in which shall be accumulated all contributions made by the County to provide benefits under the Retirement System and from which shall be paid all retirement allowances and other benefits under the Retirement System, other than those payable from the Members' Account. The amounts of assets transferred from the Pension Plan and the Pension System to the Retirement System pursuant to Section 9, Subsection (2), of this Act which are in excess of the amounts credited to the Members' Account as accumulated contributions shall be credited to the Accumulation Account.

Regular Contributions by County

(b) On account of each member there shall be paid annually into the Accumulation Account a certain percentage of the compensation of each member to be known as the "normal contribution", and an additional percentage of his compensation to be known as the "accrued liability contribution". The rates per centum of such contributions shall be fixed on the basis of the liabilities of the System as shown by actuarial valuation. Until the first valuation, the normal contribution shall be

4.41 per centum of the compensation of members in Class I and 7.97 per centum of the compensation of members in Class II, and the accrued liability contribution shall be 4.54 per centum of the compensation of members in Class I and 6.99 per centum of the compensation of members in Class II.

(c) The normal rates of contribution shall be determined after each actuarial valuation. During the period over which the accrued liability contributions are payable, the normal rates of contribution shall be determined, on the basis of regular interest and the tables last adopted by the Board, as the uniform and constant percentages of the compensation of the average new entrant member in Class I or Class II, as the case may be, which, if contributed on the basis of the prospective compensation of such new entrant throughout his entire period of active service, would be sufficient to provide for the payment of any retirement allowance or other benefit payable on his account not provided by his own contributions. After the accrued liability contributions have ceased to be payable, the normal contribution rate for each class of members shall be the rate per centum of the compensation of such members obtained by deducting from the total liabilities of the Accumulation Account on account of members and beneficiaries in each class the amount of the funds in hand standing to the credit of the Accumulation Account applicable to such members and beneficiaries, and dividing the remainder by one per centum of the present value of the prospective compensation of such members, as computed at regular interest on the basis of the tables last adopted by the Board.

(d) Immediately succeeding the first valuation, the accrued liability on account of each class of members shall be computed by the actuary as the amount of the total liabilities of the Accumulation Account on account of members and beneficiaries in such class in excess of the funds in hand held on their account in the Accumulation Account which is not dischargeable by the aforesaid normal contributions to be made on account of such members during the remainder of their active service. The accrued liability contribution rate for each class of members shall be determined by calculating the amount which, if paid each year during the forty year period immediately following the operative date, would liquidate the accrued liability on account of members and beneficiaries in each class, and dividing such amount by one per centum of the total earnable compensation of members in each class.

(e) The total amount payable by the County in each year to the Accumulation Account shall be not less than the sum of the rates per centum, known as the normal contribution rate and the accrued liability contribution rate, of the total compensation of all members in Class I and Class II, respectively, during the preceding year; provided, however, that the amount of each annual accrued liability contribution shall be not less than the preceding annual accrued liability contribution, and that the aggregate payment shall be sufficient, when combined with the amount in the account, to provide the part of the retirement allowances and other benefits provided by contributions made by the County payable to members and beneficiaries during the year then current. The County contributions to the Retirement System shall be paid from the County departmental fund from which each particular employee derives his payment of wages or salary.

(f) The accrued liability contributions shall be discontinued as soon as the amount of the funds standing to the credit of the Accumulation Account shall equal the present value, as actuarially computed and approved by the Board, of the total liabilities of the Account on account of all members and beneficiaries less the present value of the normal contributions to be received at the normal rates then in force on account of persons who are at that time members.

Interest

(g) All interest and dividends earned on the funds of the Retirement System shall be credited to the Accumulation Account.

(h) Regular interest shall mean interest at the per centum rate or rates compounded annually as shall be determined by the Board from time to time, limited to a minimum of two per centum (2%) and a maximum of five per centum (5%), with the latter rate applicable from the operative date until changed by the Board.

Benefits Payable from Accumulation Account

(i) All retirement allowances to beneficiaries, and benefits in lieu thereof, shall be paid from the Accumulation Account.

(3) Expense Account

The Expense Account shall be the account to which shall be credited all money provided by the County to pay the administration expenses of the Retirement System, and from which shall be paid all the expenses necessary in connection with the administration and operation of the Retirement System.

(4) Appropriations

(a) On or before the first day of October of each year the Board shall determine the amount of the appropriation necessary to pay the normal and accrued liability contributions to the Accumulation Account for the ensuing year, and the amount of appropriation required to cover the expenses necessary in connection with the administration and operation of the Retirement System, and such amounts shall be included in the Budget, in accordance with legal budget procedure.

(b) To cover the requirements of the System for the period prior to the first day of October, nineteen hundred and sixty-nine, such amounts as shall be necessary for such purpose shall be paid into the Accumulation Account and the Expense Account by special appropriations or transfers to the Retirement System by the County.

Section 8. Management of Funds.

(1) The members of the Board shall be the trustees of all of the assets of the Retirement System and shall have full power to invest and reinvest such assets, including the power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the assets of the Retirement System may have been invested, as well as the proceeds of said investments and any moneys belonging to the Retirement System.

(2) The Board shall designate either the Clerk of the Board or a bank or trust company, to be the custodian of the assets of the Retirement System. All payments from the funds of the Retirement System shall be made only upon regular vouchers signed by the Clerk of the Board. No voucher shall be drawn unless it shall have been previously authorized by resolution of the Board.

(3) The Board may appoint an Investment Committee which shall consist of three members of the Board. The Investment Committee shall have the authority and it shall be its duty to carry out the investment policies fixed by the Board, and pursuant thereto it shall examine all offers of investments made to the Retirement System, shall initiate inquiries as to available investments therefor, shall review periodically the investment quality and desirability of retention of investments held,

and shall from time to time make, or cause to be made, such purchases and sales of investments as it shall deem to be in the best interests of the Retirement System. The Investment Committee may act through the affirmative vote of any two of its members.

(4) The Board may appoint and employ a bank or trust department thereof or other investment advisor as consultant to the Board or to the Investment Committee, in the purchase, sale and review of investments of the Retirement System, to such extent as the Board may designate.

(5) For the purpose of meeting disbursements for retirement allowances and other payments, there may be kept on deposit available cash, not exceeding ten per centum of the total assets of the Retirement System.

(6) Except as otherwise herein provided, no member or employee of the Board shall have any direct or indirect interest in the gains or profits of any investment made by the Board. No member or employee of the Board shall, directly or indirectly, for himself or as an agent, in any manner use said gains or profits, except to make such current and necessary payments as are authorized by the Board.

Section 9. Certain Provisions Relating to the Pension Plan and the Pension System.

(1) This act and the provisions of this Retirement System shall supersede the Pension System as to any persons becoming employed by the County on and after the operative date, and no person becoming an employee of the County after said date shall participate in any way in the Pension System.

(2) The assets of the Pension Plan and of the Pension System as of the operative date shall be allocated between those employees who elect to become members of the Retirement System pursuant to Section 3, Subsection (3), of this Act and those who elect to remain covered under the Pension Plan or the Pension System, in the following manner. On account of each non-retired employee, there shall be allocated an amount equal to the sum of his contributions under the Pension Plan or the Pension System, as the case may be. The balance of the assets of the Pension Plan and the Pension System, after deducting the employees' contributions thereunder so allocated, shall be allocated in proportion to such employees' contributions under the Pension Plan and the Pension System, respectively. The total amount of assets so allocated under the Pension Plan and the Pension System on account of employees who elect to become members of the Retirement System shall be transferred to the Retirement System as soon as practicable after the operative date.

(3) The County shall from time to time make such contributions to the Pension Plan and the Pension System as are necessary to provide the benefits thereunder on account of employees retired prior to the operative date and on account of employees who elect to remain covered thereunder pursuant to Section 3, Subsection (3), of this Act.

Section 10. Assignments Prohibited.

(1) The property and funds of the Retirement System, the contributions of members deducted from their compensation, the right of a person to a retirement allowance or other benefit, and any other right accrued or accruing to any person under the provisions of this Act and the moneys in the various accounts created by this Act shall not be subject to taxation by the County nor by the State of Alabama, nor be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws or any other process of law whatsoever to satisfy any

debt or liability of any member, and shall be unassigned except as in this Act specifically provided.

(2) Nor shall any benefit or sum be mortgaged, pledged or alienated except that an employee entitled to any return of contributions or payments due him or her which has not been actually received may dispose of such sum or claim thereto by Last Will and Testament or the disposition of such sums shall be subject to the laws of Descent and Distribution of Alabama, in existence at such time in the event of such employee leaving no valid last will.

Section 11. Protection Against Fraud.

Whoever with intent to deceive shall make any claim, statements, representations or reports required under this Act which are untrue, or shall falsify or permit to be falsified any record or records of this Retirement System shall be fined not to exceed one hundred dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.

Section 12. Errors.

Should any change or error in the records result in any member or beneficiary receiving from the Retirement System more or less than he would have been entitled to receive had the records been correct, the Board shall have the power to correct such error, and as far as practicable, to adjust the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

Section 13. General Conditions.

(1) The Board of Revenue shall have the continuing right and power to implement this Act at any time, by promulgating reasonable rules and regulations and making reasonable interpretations and orders; and the Legislature hereby expressly reserves to itself the right and power to amend, supplement, modify, or repeal this Act at any time.

(2) All provisions of any Act inconsistent with the provisions of this Act are hereby expressly repealed to the extent of such inconsistency.

(3) If any section or part of any section of this Act is declared to be unconstitutional, the remainder of the Act shall not thereby be invalidated.

Section 14. Date Act Effective.

This Act shall take effect on and after its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Brown	Drake	Hain
Bank	Cameron	Ellis	Hardin
Bassett	Cherner	Fine	Harris
Beck	Collier	Foshee	Haygood
Berryman (W)	Cook (Coffee)	Gafford	Headley
Blanton	Crawford	Gloor	Higginbotham
Bolton	Dill	Graham	Hill
Brannan	Dobbs	Grainger	Hobbie
Brassell	Downing	Grayson	Jackson (F)

Jackson (T)	McElhaney	Owens (W)	Snell
Jones	McLain	Paulk	Springer
Laxson	Meade	Pearson	Starnes
Lemley	Meeks	Pennington	Stembridge
Lybrand	Melton	Perloff	Tuck
Lyons	Merrill	Pruitt	Waggoner
Malone	Money	Robertson	Williams
Manley	Nettles	Sessions	Wood
Mays	Neville	Shumate	Yeilding
McCorquodale	Owen (Baldwin)	Smith	Young

—75

And the bill, H. 1100, as thus amended:

TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION OF A RETIREMENT SYSTEM TO PROVIDE RETIREMENT ALLOWANCES AND OTHER BENEFITS FOR CERTAIN EMPLOYEES OF THE COUNTY OF MONTGOMERY, ALABAMA, AND ULTIMATELY TO SUPERSEDE THE EXISTING PENSION SYSTEMS ESTABLISHED BY ACT NO. 240 OF THE LEGISLATURE OF ALABAMA OF 1947 AND BY ACT NO. 176 OF THE LEGISLATURE OF ALABAMA OF 1959.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Drake	Jones	Owen (Baldwin)
Agee	Edington	Laxson	Owens (W)
Bank	Ellis	Lemley	Paulk
Bassett	Fine	Lybrand	Pearson
Beck	Foshee	Lyons	Pennington
Berryman (W)	Gafford	Malone	Pruitt
Blanton	Graham	Manley	Robertson
Bolton	Grainger	Mays	Sessions
Brannan	Grayson	McCorquodale	Shumate
Brassell	Hain	McDonald	Smith
Brown	Hardin	McElhaney	Snell
Cameron	Harris	McLain	Springer
Cherner	Haygood	Meade	Starnes
Collier	Headley	Meeks	Stembridge
Cook (Coffee)	Higginbotham	Melton	Tuck
Crawford	Hobbie	Merrill	Waggoner
Dill	House	Money	Williams
Dobbs	Jackson (F)	Nettles	Yeilding
Downing	Jackson (T)	Neville	Young

—75

And the bill:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Drake	Laxson	Owens (W)
Agee	Edington	Lemley	Paulk
Bank	Ellis	Lybrand	Pearson
Bassett	Fine	Lyons	Pennington
Beck	Foshee	Malone	Perloff
Berryman (W)	Gafford	Manley	Pruitt
Blanton	Graham	Mays	Sessions
Bolton	Grainger	McCorquodale	Shumate
Brannan	Grayson	McDonald	Smith
Brassell	Hain	McElhaney	Snell
Burgess	Hardin	McLain	Springer
Cameron	Harris	Meade	Starnes
Cherner	Haygood	Meeks	Stembridge
Collier	Headley	Melton	Tuck
Cook (Coffee)	Higginbotham	Merrill	Waggoner
Crawford	Hobbie	Money	Williams
Dill	Jackson (F)	Nettles	Wood
Dobbs	Jackson (T)	Neville	Yeilding
Downing	Jones	Owen (Baldwin)	Young

—75

And the bill:

H. 1241. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Edington	Lemley	Paulk
Bank	Ellis	Lybrand	Pearson
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bowers	Grayson	Mays	Smith
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McElhaney	Springer
Burgess	Harris	McLain	Starnes
Cherner	Haygood	Meade	Stembridge
Collier	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Weeks
Crawford	Holladay	Nettles	Williams
Dill	Jackson (F)	Neville	Wood
Dobbs	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young
Drake	Laxson		

—73

And the bill:

H. 1242. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Drake	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Graham	Marr	Shumate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Burgess	Hain	McElhaney	Springer
Cherner	Hardin	McLain	Starnes
Collier	Harris	Meade	Stembridge
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Waggoner
Cook (Jefferson)	Higginbotham	Money	Weeks
Crawford	Hill	Nettles	Williams
Culver	Holladay	Neville	Wood
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jackson (T)	Owens (W)	Young
Downing	Jones	Paulk	

—78

And the bill:

H. 1230. To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Drake	Jones	Owens (W)
Agee	Edington	Laxson	Paulk
Bank	Ellis	Lemley	Pearson
Bassett	Fine	Lybrand	Pennington
Beck	Gafford	Lyons	Perloff
Berryman (W)	Graham	Malone	Pruitt
Blanton	Grainger	Manley	Sessions
Brannan	Grayson	Marr	Shumate
Brassell	Hain	Mays	Smith
Burgess	Hardin	McCorquodale	Snell
Cherner	Harris	McElhaney	Starnes
Collier	Haygood	McLain	Stembridge
Collins (W)	Headley	Meade	Tuck
Cook (Coffee)	Higginbotham	Melton	Waggoner
Cook (Jefferson)	Hill	Merrill	Weeks
Crawford	Holladay	Money	Williams
Dill	House	Nettles	Wood
Dobbs	Jackson (F)	Neville	Yeilding
Downing	Jackson (T)	Owen (Baldwin)	Young

—75

And the bill:

H. 947. (with substitute). To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, or to enjoin the issuance of, or to contest or question the validity of, any bonds or other securities issued or proposed to be issued by the State of Alabama, or by any department, commission, board, public corporation, authority or other agency or instrumentality thereof; to set the time for filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Any appeal to the Supreme Court taken by any party to any action or proceeding to set aside, or to enjoin the issuance of, or to contest or question the validity of, any bonds or other securities issued or proposed to be issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality of the state, must be taken within thirty days after the rendition of the judgment or decree of the Circuit Court in which the action was instituted. Each such appeal shall be effected by filing security for costs therefor and a notice of appeal in the office of the clerk or register of the Circuit Court in which such judgment or decree was rendered.

Section 2. On or before the fifteenth day after the filing of the notice of appeal, the appellant shall file in the Supreme Court a transcript of all of the proceedings in the Circuit Court, including the evidence taken therein, bearing the certificate of the clerk or register, or of a judge of the said court, that such transcript contains a correct and complete record of the proceedings in said court. An extension of time for the filing of the said transcript may be granted only by the Supreme Court on motion of a party for good cause shown.

Section 3. Within five days after the filing of the said transcript, the appellant shall file his brief in the Supreme Court and shall serve a copy thereof upon the appellee or his attorney of record, who may within five days thereafter file and serve the appellee's brief. Appellant may file a reply brief within five days after service of appellee's brief, but such reply brief shall be limited to answering the matter contained in appellee's brief and shall not set up any new matter not in answer to cross-errors assigned and argued, which is not contained and argued in appellee's brief. Appellee may within five days after service of appellant's answer to cross-errors assigned and argued in appellee's brief, file a reply brief thereto, but such reply brief shall be limited to answer-

ing the matter set up in answer to such cross-errors argued. Thereafter, no briefs may be filed except with consent of the court, or a Justice thereof, upon written petition therefor. Upon written application, served upon opposing counsel, the court, or a Justice thereof, for good cause shown, may extend the time of the filing of any of appellant's or appellee's briefs for a period not exceeding five days.

Section 4. After the time for filing briefs has expired, the case shall then be submitted for decision upon the record and briefs; provided, however, that if either party shall within three days of the filing of the transcript in the Supreme Court make application in writing to the court for oral argument of the case, the court may, if it considers oral argument necessary to a proper disposition of the case, set the case for oral argument at the earliest practical date without regard to the regular call of the cases from the division in which such case arises, and, if feasible, not later than ten days after the expiration of the last day on which appellee was authorized to file his reply brief. Thereafter, the Supreme Court shall render its decision in such case on the earliest practical date, whether such decision is rendered during any regular or special term of the court. The certificate of the clerk of the Supreme Court of the affirmance or reversal of, or other action of the Supreme Court in, such case shall issue forthwith following the decision thereof. Any application for rehearing must be filed with the clerk of the court, accompanied by brief for the applicant and a certificate of counsel that a copy of such brief has been served upon opposing counsel, within ten days after the rendition of the decision whether such period extends beyond any term of the court or not; and such application may be passed upon forthwith. Any appeal taken under this title shall be a preferred case in the Supreme Court and shall have preference over all other civil cases therein pending except habeas corpus proceedings.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed to the extent that such other laws or parts of laws conflict with this act.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk
Agee	Edington	Lybrand	Pearson
Bank	Ellis	Lyons	Perloff
Bassett	Fine	Malone	Robertson
Beck	Gafford	Manley	Sessions
Berryman (W)	Graham	Marr	Slate
Blanton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McDonald	Starnes
Brown	Hardin	McElhaney	Stembridge
Burgess	Harris	McLain	Tuck
Cherner	Haygood	Meade	Waggoner
Collier	Headley	Melton	Weeks
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Holladay	Money	Wood
Crawford	Jackson (F)	Nettles	Yeilding
Dill	Jones	Owens (W)	Young
Downing	Laxson		

Mr. Springer offered the following amendment to the bill, H. 947, as thus amended:

Amend Substitute for H. B. 947, Section 3, first sentence by deleting the word "five" in the first line and adding the word "fifteen". Also in same sentence after the word "within" delete the word "five" and add instead the word "ten".

In the last sentence of Section 3 delete the word "five" after the word "exceeding" and add instead the word "ten".

Amend Section 4 by deleting the first sentence and adding instead the following sentence: "After the time for filing briefs has expired, the case shall then be submitted for decision upon the record and briefs; provided, however, that if either party request oral argument the court may set the case for oral argument at the earliest practical date without regard to the regular call of the cases from the division in which such case arises, and, if feasible, not later than ten days after the expiration of the last day on which appellee was authorized to file his reply brief."

Also in Section 4, in the fourth sentence strike the word "ten" after the word "within" and add instead the word "fifteen".

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Paulk
Agee	Edington	Laxson	Pearson
Bank	Ellis	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Gloor	Manley	Shumate
Bowers	Graham	Marr	Slate
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Stembridge
Cameron	Harris	McElhaney	Tuck
Cherner	Haygood	McLain	Waggoner
Collier	Headley	Meade	Watkins
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Crawford	Hobbie	Money	Wood
Dill	Holladay	Nettles	Wright
Doss	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Owens (W)	Young

—84

And the bill, H. 947, as thus amended:

To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, or to enjoin the issuance of, or to contest or question the validity of, any bonds or other securities issued or proposed to be issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Drake	Laxson	Pearson
Bank	Edington	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Gloor	Manley	Shumate
Bowers	Graham	Marr	Slate
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Stembridge
Cameron	Harris	McElhaney	Tuck
Cherner	Haygood	McLain	Waggoner
Collier	Headley	Meade	Watkins
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Cook (Jefferson)	Hobbie	Money	Wood
Crawford	Holladay	Nettles	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Doss	Jackson (T)	Owens (W)	Young

—84

MOTION TO ADJOURN LOST

The motion of Mr. Edington that the House adjourn until two o'clock P. M. on Tuesday, August 12, 1969, was lost.

Yeas 24; Nays 55.

Yeas:

Messrs.:	Cherner	Harris	Mays
Beck	Collins (C)	Haygood	Melton
Berryman (W)	Crawford	Laxson	Robertson
Blanton	Drake	Lyons	Stembridge
Brannan	Edington	Malone	Watkins
Brown	Ellis	Mathews	Weeks
Burgess			

—24

Nays:

Mr. Speaker	Foshee	Jones	Pennington
Agee	Gafford	Lybrand	Sessions
Bank	Grainger	Manley	Shumate
Bassett	Grayson	Marr	Slate
Brassell	Hain	McCorquodale	Smith
Cameron	Hardin	McDonald	Snell
Collins (W)	Headley	McElhaney	Starnes
Cook (Coffee)	Higginbotham	McLain	Tuck
Cook (Jefferson)	Hill	Merrill	Waggoner
Culver	Hobbie	Money	Williams
Dill	Holladay	Nettles	Wood
Doss	House	Owens (W)	Wright
Downing	Jackson (F)	Paulk	Young
Fine	Jackson (T)	Pearson	

—55

MOTION TO BRING UP. H. 351

On the motion of Mr. Dobbs, the rules were suspended and permission granted to bring up out of order the bill, H. 351.

Yeas 75; Nays 4.

Yeas:

Mr. Speaker	Drake	Lyons	Pruitt
Agee	Ellis	Manley	Robertson
Bank	Foshee	Marr	Sessions
Bassett	Graham	Mays	Shumate
Beck	Grainger	McDonald	Slate
Berryman (W)	Grayson	McElhaney	Smith
Bowers	Hain	McLain	Snell
Brannan	Hardin	Meade	Starnes
Brassell	Haygood	Melton	Steagall
Brown	Headley	Merrill	Tuck
Collier	Higginbotham	Money	Waggoner
Collins (C)	Hill	Nettles	Watkins
Collins (W)	Hobbie	Neville	Weeks
Cook (Coffee)	Holladay	Owen (Baldwin)	Williams
Cook (Jefferson)	House	Owens (W)	Wood
Crawford	Jackson (F)	Paulk	Wright
Culver	Jones	Pearson	Yeilding
Doss	Laxson	Pennington	Young
Downing	Lybrand	Perloff	

—75

Nays:

Messrs.:	Dill	Harris	Malone
Burgess			

—4

And the bill:

H. 351. To require a bill of sale in the transfer, sale or gift of a dog.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 4.

Yeas:

Mr. Speaker	Ellis	Lemley	Perloff
Agee	Fine	Lyons	Pruitt
Bank	Foshee	Manley	Robertson
Bassett	Gafford	Marr	Sessions
Beck	Gloor	Mathews	Shumate
Berryman (W)	Graham	Mays	Slate
Bowers	Grainger	McCorquodale	Smith
Brannan	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Starnes
Brown	Hardin	Meade	Steagall
Cherner	Harris	Melton	Stembridge
Collier	Haygood	Merrill	Tuck
Collins (C)	Headley	Money	Waggoner
Collins (W)	Higginbotham	Nettles	Watkins
Cook (Coffee)	Hill	Neville	Weeks
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver	Holladay	Owens (W)	Wood
Doss	House	Paulk	Wright
Downing	Jackson (F)	Pearson	Yeilding
Drake	Jones	Pennington	Young
Edington	Laxson		

—82

Nays:

Messrs.:	Jackson (T)	Lybrand	Malone
Dill			

—4

MOTION TO BRING UP H. 636

On motion of Mr. Ellis, the rules were suspended and permission granted to bring up out of order the bill, H. 636.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Pruitt
Agee	Foshee	Lyons	Robertson
Bassett	Gafford	Manley	Sessions
Beck	Gloor	Marr	Shumate
Berryman (W)	Graham	Mathews	Slate
Bowers	Grainger	Mays	Smith
Brannan	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Cameron	Harris	Meade	Stembridge
Collier	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Turnham
Cook (Coffee)	Hill	Merrill	Waggoner
Cook (Jefferson)	Hobbie	Money	Watkins
Crawford	Holladay	Owen (Baldwin)	Weeks
Culver	House	Owens (W)	Williams
Dill	Jackson (F)	Paulk	Wood
Doss	Jones	Pearson	Wright
Downing	Laxson	Pennington	Yeilding
Drake	Lemley	Perloff	Young
Edington			

—81

And the bill:

H. 636 (with amendment). To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Transportation, said Committee amendment being as follows:

In Section 1 strike out subsection (a) of Section 1 of Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25) and insert in lieu thereof the following:

"(a) No person shall operate a passenger vehicle, a passenger bus or any motor truck having a box or express type body, of three-quarters of a ton capacity or less, commonly known as pick-ups or pick-up trucks, at a speed in excess of 75 miles per hour or at a rate of speed less than 55 miles per hour in the left lane during the hours of daylight or 50 miles per hour during the hours of night on any highway which is a part of the Interstate System as the term 'Interstate System' is defined in Title 23, United States Code, Section 101, enacted August 27, 1958. No person shall operate any such vehicle at a speed in excess of 60 miles per hour during the hours of daylight or 50 miles per hour during the hours of night on any other highways of the state. For the purpose of this Act daylight shall be one-half hour before sunrise to one-half hour after sunset.

And the amendment was adopted.

Yeas 85; Nays 4.

Yeas:

Mr. Speaker	Drake	Laxson	Perloff
Agee	Edington	Lemley	Pruitt
Bank	Fine	Lybrand	Robertson
Bassett	Foshee	Lyons	Sessions
Beck	Gafford	Malone	Shumate
Berryman (W)	Gloor	Manley	Slate
Blanton	Graham	Mathews	Smith
Bowers	Grainger	Mays	Snell
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Cameron	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Headley	Melton	Waggoner
Collins (C)	Hill	Merrill	Watkins
Collins (W)	Hobbie	Nettles	Weeks
Cook (Coffee)	Holladay	Neville	Williams
Cook (Jefferson)	House	Owen (Baldwin)	Wood
Crawford	Jackson (F)	Paulk	Wright
Culver	Jackson (T)	Pearson	Yeilding
Doss	Jones	Pennington	Young
Downing			

—85

Nays:

Messrs.:	Dill	Higginbotham	Marr
Brown			

—4

And the bill, H. 636, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker	Doss	Laxson	Perloff
Agee	Downing	Lemley	Pruitt
Bank	Edington	Lyons	Robertson
Bassett	Fine	Malone	Sessions
Beck	Foshee	Manley	Shumate
Berryman (W)	Gloor	Mathews	Slate
Blanton	Graham	Mays	Smith
Bolton	Grainger	McCorquodale	Snell
Bowers	Grayson	McDonald	Starnes
Brannan	Hain	McElhaney	Steagall
Brassell	Hardin	Meade	Stembridge
Burgess	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Hill	Merrill	Waggoner
Collins (C)	Hobbie	Nettles	Watkins
Collins (W)	Holladay	Neville	Weeks
Cook (Coffee)	House	Owen (Baldwin)	Wood
Cook (Jefferson)	Jackson (F)	Paulk	Wright
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Jones	Pennington	Young

—80

Nays:

Messrs.:	Dill	Higginbotham	Owens (W)
Brown			

—4

And the bill:

H. 899 (with amendment). To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on State Administration, said Committee amendment being as follows:

Amend Section 1 thereof, so that it reads as follows:

"All actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision or construction of such improvements, must be commenced within two years after the final completion of such improvements, and not afterwards. Provided, that if the cause of action is not discovered and could not reasonably have been discovered within such period, then the action may be commenced within six months from the date of such discovery or the date of discovery of facts which would reasonably lead to such discovery, whichever is earlier; provided further, that in no event may the action be commenced more than seven years after such act or omission."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edington	Malone	Pennington
Agee	Fine	Manley	Perloff
Bank	Foshee	Marr	Pruitt
Bassett	Gafford	Mathews	Robertson
Beck	Gloor	McCorquodale	Sessions
Berryman (W)	Graham	McDonald	Shumate
Blanton	Grainger	McElhanev	Snell
Bowers	Grayson	McLain	Starnes
Brannan	Hain	Meade	Steagall
Brassell	Hardin	Meeks	Stembridge
Cherner	Harris	Melton	Waggoner
Collier	Haygood	Merrill	Watkins
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hobbie	Nettles	Williams
Cook (Coffee)	Holladay	Neville	Wood
Crawford	Jones	Owen (Baldwin)	Wright
Dill	Laxson	Paulk	Yeilding
Dobbs	Lemley	Pearson	Young
Downing	Lyons		

—74

Mr. Hill offered amendment #1 to the bill, H. 899, as thus amended:

In Section 1 near the end of the first sentence strike out the word, two, and insert in lieu thereof the word: four

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Lyons	Robertson
Bassett	Edington	Malone	Sessions
Beck	Ellis	Manley	Shumate
Berryman (W)	Fine	Marr	Slate
Blanton	Foshee	McCorquodale	Smith
Bolton	Gafford	McDonald	Snell
Bowers	Gloor	McElhaney	Starnes
Brannan	Graham	Meade	Steagall
Brassell	Grainger	Meeks	Stembridge
Burgess	Grayson	Melton	Tuck
Cherner	Hain	Merrill	Waggoner
Collier	Hardin	Money	Weeks
Collins (C)	Harris	Nettles	Williams
Collins (W)	Haygood	Neville	Wood
Crawford	Higginbotham	Owen (Baldwin)	Wright
Culver	Hobbie	Paulk	Yeilding
Dill	Jackson (F)	Pearson	Young

—76

Mr. Hill offered amendment #2 to the bill, H. 899, as thus amended:

In Section 5 strike out the period at the end of the section and insert in lieu thereof the following:

; but it shall apply only to causes of action arising subsequent to the effective date of this Act.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Pearson
Agee	Edington	Lyons	Pennington
Bank	Ellis	Malone	Perloff
Bassett	Fine	Manley	Robertson
Beck	Foshee	Marr	Sessions
Berryman (W)	Gloor	Mathews	Shumate
Blanton	Graham	Mays	Slate
Bowers	Grainger	McCorquodale	Snell
Brannan	Grayson	McDonald	Starnes
Brassell	Hain	McElhaney	Steagall
Brown	Hardin	McLain	Stembridge
Burgess	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Higginbotham	Melton	Waggoner
Collins (W)	Hill	Merrill	Weeks
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crawford	Jackson (F)	Neville	Wright
Culver	Jones	Owen (Baldwin)	Yeilding
Dobbs	Laxson	Paulk	Young
Downing	Lemley		

—82

Mr. House offered the following amendment to the bill, H. 899, as thus amended:

Section 1 of House Bill 899 as amended is farther amended by striking the words "commenced within two years" and inserting in lieu thereof "commenced within seven years".

On motion of Mr. Hill, the amendment offered by Mr. House was tabled.

Yeas 56; Nays 23.

Yeas:

Mr. Speaker	Dobbs	Hill	Paulk
Bassett	Doss	Hobbie	Pennington
Beck	Drake	Holladay	Perloff
Blanton	Ellis	Jones	Robertson
Bolton	Fine	Lemley	Shumate
Brannan	Garrett	Lybrand	Slate
Brassell	Graham	Malone	Snell
Burgess	Grainger	McElhaney	Springer
Cameron	Grayson	McLain	Steagall
Collier	Hain	Meade	Stembridge
Collins (C)	Hardin	Melton	Watkins
Collins (W)	Harris	Nettles	Williams
Cook (Coffee)	Haygood	Owen (Baldwin)	Wood
Dill	Headley	Owens (W.E.)	Wright

—56

Nays:

Messrs.:	Foshee	Laxson	Merrill
Agee	Gafford	Lyons	Neville
Berryman (W)	Higginbotham	Marr	Pearson
Cherner	House	Mathews	Sessions
Crawford	Jackson (F)	McCorquodale	Weeks
Downing	Jackson (T)	McDonald	Young

—23

And the bill, H. 899, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 12.

Yeas:

Mr. Speaker	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Gloor	Malone	Sessions
Berryman (W)	Graham	Manley	Shumate
Blanton	Grainger	Marr	Slate
Brannan	Grayson	McElhaney	Snell
Brassell	Hain	McLain	Springer
Brown	Hardin	Meade	Starnes
Collins (C)	Harris	Meeks	Steagall
Collins (W)	Haygood	Merrill	Stembridge
Cook (Coffee)	Headley	Money	Watkins
Culver	Hill	Nettles	Weeks
Dill	Hobbie	Owen (Baldwin)	Williams
Dobbs	Jackson (F)	Owens (W.E.)	Wood
Doss	Jones	Paulk	Wright
Downing	Laxson	Pearson	Yeilding
Drake	Lemley	Pennington	Young
Ellis			

—69

Nays:

Messrs.:	Crawford	House	McDonald
Agee	Gafford	Jackson (T)	Melton
Burgess	Garrett	McCorquodale	Neville
Cherner			

—12

And the bill:

H. 320. Relating to the Eighteenth Judicial Circuit; providing for an additional Circuit Judge in such Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nay 1.

Yeas:

Mr. Speaker	Doss	Jones	Pearson
Agee	Downing	Laxson	Pennington
Bassett	Drake	Malone	Perloff
Beck	Ellis	Manley	Pruitt
Berryman (W)	Foshee	Marr	Robertson
Blanton	Garrett	Mathews	Sessions
Bolton	Graham	McDonald	Shumate
Brannan	Grainger	McElhaney	Slate
Brassell	Grayson	McLain	Snell
Brown	Hain	Meade	Springer
Burgess	Harris	Melton	Starnes
Cameron	Haygood	Merrill	Stembridge
Collier	Headley	Money	Watkins
Collins (C)	Higginbotham	Nettles	Weeks
Collins (W)	Hobbie	Neville	Williams
Cook (Coffee)	Holladay	Owen (Baldwin)	Wood
Dill	House	Owens (W.E.)	Wright
Dobbs	Jackson (F)	Paulk	Young

—72

Nay: Mr. Gafford.

—1

MOTION TO ADJOURN LOST

The motion of Mr. Lyons that the House adjourn until two o'clock P. M. on Tuesday, August 12, 1969, was lost.

Yeas 31; Nays 53.

Yeas:

Messrs.:	Crawford	Laxson	Merrill
Bank	Drake	Lemley	Owens (W)
Beck	Edington	Lyons	Paulk
Berryman (W)	Ellis	Malone	Pruitt
Blanton	Fine	Mathews	Slate
Brannan	Graham	Mays	Stembridge
Brassell	Harris	Meade	Weeks
Collins (C)	Haygood	Melton	Wood

—31

Nays:

Messrs.:	Garrett	Manley	Sessions
Agee	Grainger	Marr	Shumate
Bassett	Grayson	McCorquodale	Smith
Bolton	Hain	McDonald	Snell
Collins (W)	Hardin	McElhaney	Springer
Cook (Coffee)	Higginbotham	McLain	Starnes
Cook (Jefferson)	Hill	Meeks	Steagall
Culver	Hobbie	Money	Stubbs
Dill	Holladay	Nettles	Waggoner
Dobbs	House	Pearson	Watkins
Doss	Jackson (F)	Pennington	Williams
Downing	Jackson (T)	Perloff	Wright
Foshee	Jones	Robertson	Young
Gafford	Lybrand		

—53

And the bill:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lybrand	Paulk
Agee	Fine	Lyons	Pearson
Bassett	Foshee	Malone	Pennington
Beck	Gafford	Manley	Perloff
Berryman (W)	Garrett	Marr	Pruitt
Brannan	Gloor	Mathews	Robertson
Brassell	Grainger	Mays	Sessions
Brown	Grayson	McCorquodale	Slate
Burgess	Hain	McDonald	Snell
Cameron	Hardin	McElhaney	Springer
Collier	Harris	McLain	Starnes
Collins (C)	Haygood	Meade	Steagall
Collins (W)	Higginbotham	Meeks	Stembridge
Cook (Coffee)	Hill	Melton	Stubbs
Cook (Jefferson)	Hobbie	Merrill	Waggoner
Crawford	Holladay	Money	Weeks
Culver	House	Nettles	Williams
Dill	Jackson (F)	Neville	Wood
Dobbs	Jackson (T)	Owen (Baldwin)	Wright
Downing	Jones	Owens (W)	Yeilding
Drake	Laxson	Owens (W.E.)	Young
Edington	Lemley		

—86

And the bill:

S. 267. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this state.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Pearson
Agee	Foshee	Lyons	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Garrett	Manley	Pruitt
Berryman (W)	Gloor	Marr	Sessions
Blanton	Grainger	Mathews	Shumate
Brannan	Grayson	Mays	Slate
Brassell	Hain	McCorquodale	Snell
Brown	Hardin	McDonald	Springer
Burgess	Harris	McElhaney	Starnes
Cameron	Haygood	McLain	Steagall
Collier	Headley	Meade	Stembridge
Collins (C)	Higginbotham	Meeks	Stubbs
Collins (W)	Hill	Melton	Turnham
Cook (Coffee)	Hobbie	Merrill	Waggoner
Cook (Jefferson)	Holladay	Money	Watkins
Crawford	House	Nettles	Weeks
Culver	Jackson (F)	Neville	Williams
Dill	Jackson (T)	Owen (Baldwin)	Wood
Dobbs	Jones	Owens (W)	Wright
Downing	Laxson	Owens (W.E.)	Yeilding
Edington	Lemley	Paulk	Young
Ellis			

—89

MOTION TO BRING UP H. 1031

On motion of Mr. Bolton, the rules were suspended and permission granted to bring up out of order the bill, H. 1031.

Yeas 61; Nays 5.

Yeas:

Messrs.:	Edington	Jones	Pearson
Bassett	Ellis	Laxson	Pennington
Beck	Foshee	Lemley	Perloff
Brannan	Garrett	Lyons	Shumate
Brown	Graham	Malone	Slate
Burgess	Grainger	Marr	Snell
Cameron	Grayson	Mathews	Steagall
Collins (C)	Hain	Mays	Stembridge
Cook (Coffee)	Hardin	McLain	Stubbs
Crawford	Harris	Meade	Watkins
Culver	Haygood	Money	Weeks
Dill	Higginbotham	Nettles	Williams
Dobbs	Hill	Owen (Baldwin)	Wood
Doss	Hobbie	Owens (W.E.)	Yeilding
Downing	Holladay	Paulk	Young
Drake	Jackson (F)		

—61

Nays:

Messrs.:	Berryman (W)	Meeks	Melton
Agee	Gafford		

—5

And the bill:

H. 1031. To amend Code of Alabama 1940, Title 14, Section 399, which prescribes the penalty for having carnal knowledge of a girl over twelve and under sixteen years of age.

Was read a third time at length and passed, and ordered sent forth-
with to the Senate without engrossment.

Yeas 66; Nays 12.

Yeas:

Mr. Speaker	Edington	Lemley	Pearson
Bassett	Ellis	Malone	Pennington
Beck	Fine	Marr	Perloff
Blanton	Graham	Mathews	Sessions
Brannan	Grainger	Mays	Shumate
Brassell	Grayson	McDonald	Snell
Brown	Hain	McLain	Starnes
Burgess	Hardin	Meade	Steagall
Cameron	Harris	Melton	Stembridge
Collier	Haygood	Merrill	Stubbs
Collins (C)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Dill	Hobbie	Neville	Wood
Dobbs	Holladay	Owen (Baldwin)	Wright
Doss	Jackson (F)	Owens (W.E.)	Yeilding
Downing	Jones	Paulk	Young
Drake	Laxson		

—66

Nays:

Messrs.:	Crawford	Jackson (T)	Owens (W)
Berryman (W)	Gafford	McCorquodale	Robertson
Collins (W)	Garrett	Meeks	Slate
Cook (Jefferson)			

—12

And the bill:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Downing
Adwell	Brassell	Cook (Jefferson)	Drake
Agee	Brown	Crawford	Ellis
Bassett	Cameron	Culver	Fine
Beck	Collins (C)	Dill	Foshee
Berryman (W)	Collins (W)	Dobbs	Gafford

Garrett	Jackson (T)	Money	Snell
Gloor	Jones	Nettles	Springer
Graham	Laxson	Neville	Starnes
Grainger	Lemley	Owen (Baldwin)	Steagall
Grayson	Malone	Owens (W)	Stembridge
Hain	Manley	Owens (W.E.)	Stubbs
Hardin	Marr	Paulk	Turnham
Harris	Mathews	Pearson	Waggoner
Haygood	Mays	Pennington	Watkins
Headley	McCorquodale	Perloff	Weeks
Higginbotham	McDonald	Pruitt	Williams
Hill	McElhaney	Robertson	Wood
Hobbie	Meade	Sessions	Wright
Holladay	Meeks	Shumate	Yeilding
House	Melton	Slate	Young
Jackson (F)	Merrill		

—86

MOTION TO BRING UP H. 1005

On motion of Mr. Blanton, the rules were suspended and permission granted to bring up out of order the bill, H. 1005.

Yeas 74; Nay 1.

Yeas:

Mr. Speaker	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pearson
Bassett	Foshee	Lyons	Pennington
Beck	Garrett	Malone	Perloff
Berryman (W)	Graham	Manley	Pruitt
Blanton	Grainger	Marr	Robertson
Brannan	Grayson	Mathews	Sessions
Brassell	Hain	Mays	Shumate
Brown	Hardin	McDonald	Slate
Cameron	Harris	McLain	Starnes
Collier	Haygood	Meeks	Stembridge
Collins (W)	Headley	Melton	Stubbs
Cook (Coffee)	Higginbotham	Merrill	Waggoner
Crawford	Hill	Money	Watkins
Culver	Hobbie	Nettles	Weeks
Dill	Holladay	Neville	Williams
Dobbs	House	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Drake	Jones		

—74

Nay: Mr. Wood.

—1

And the bill:

H. 1005 (with amendment). Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); an act providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations, so as to exempt the North Alabama Tuberculosis Association from sales and use tax laws.

— Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend "Section 1, Line 20, of House Bill No. 1005 by adding after the words Tuberculosis Association; the following:

"Eufaula Historical Association;
Alabama Sheriff Boy's Ranch;"
And the amendment was adopted.

Yeas 78; Nay 1.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Fine	Malone	Perloff
Beck	Foshee	Manley	Pruitt
Berryman (W)	Garrett	Marr	Robertson
Brannan	Graham	Mathews	Sessions
Brassell	Grainger	Mays	Shumate
Brown	Grayson	McCorquodale	Slate
Burgess	Hain	McElhaney	Smith
Cameron	Hardin	Meeks	Starnes
Cherner	Harris	Melton	Steagall
Collier	Haygood	Merrill	Stembridge
Collins (W)	Headley	Money	Stubbs
Cook (Coffee)	Higginbotham	Nettles	Waggoner
Crawford	Hill	Neville	Watkins
Culver	Hobbie	Owen (Baldwin)	Weeks
Dill	Holladay	Owens (W)	Williams
Dobbs	House	Owens (W.E.)	Yeilding
Doss	Jackson (F)	Paulk	Young
Downing	Jones		

—78

Nay: Mr. Wood.

—1

Mr. Blanton offered the following amendment to the bill, H. 1005, as thus amended:

Amend "Section 1, line 20 of the bill by adding after the words: Tuberculosis Association; the following: Eufaula Heritage Association; Alabama Sheriff's Boys Ranch;

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Manley	Robertson
Blanton	Garrett	Marr	Sessions
Bowers	Graham	Mathews	Shumate
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McCorquodale	Smith
Brown	Hain	McElhaney	Springer
Burgess	Hardin	McLain	Starnes
Cameron	Harris	Meeks	Steagall
Cherner	Haygood	Melton	Stembridge
Collier	Headley	Merrill	Stubbs
Collins (W)	Higginbotham	Money	Waggoner
Cook (Coffee)	Hill	Nettles	Watkins
Crawford	Hobbie	Neville	Weeks
Culver	Holladay	Owen (Baldwin)	Williams
Dill	House	Owens (W)	Yeilding
Dobbs	Jackson (F)	Owens (W.E.)	Young
Doss	Jones	Paulk	

—83

And the bill, H. 1005, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pennington
Agee	Ellis	Laxson	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Garrett	Marr	Shumate
Bowers	Graham	Mathews	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McElhaney	Starnes
Brown	Hain	McLain	Steagall
Burgess	Hardin	Melton	Stembridge
Cameron	Harris	Merrill	Stubbs
Cherner	Haygood	Money	Waggoner
Collier	Headley	Nettles	Watkins
Collins (W)	Higginbotham	Neville	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wood
Crawford	Hobbie	Owens (W)	Wright
Dill	Holladay	Owens (W.E.)	Yeilding
Dobbs	House	Paulk	Young
Doss	Jackson (F)	Pearson	

—79

MOTION TO BRING UP H. 368

On motion of Mr. Drake, the rules were suspended and permission granted to bring up out of order the bill, H. 368.

Yeas 68; Nays 11.

Yeas:

Mr. Speaker	Dill	Laxson	Pearson
Agee	Dobbs	Lemley	Perloff
Bassett	Doss	Lyons	Pruitt
Beck	Drake	Manley	Robertson
Berryman (W)	Foshee	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Bowers	Graham	Mays	Slate
Brannan	Grayson	McElhaney	Smith
Brassell	Hain	McLain	Starnes
Brown	Haygood	Melton	Steagall
Burgess	Headley	Merrill	Stembridge
Cameron	Hill	Money	Stubbs
Collier	Hobbie	Neville	Turnham
Collins (W)	Holladay	Owen (Baldwin)	Waggoner
Cook (Coffee)	House	Owens (W)	Weeks
Crawford	Jackson (F)	Owens (W.E.)	Williams
Culver	Jones	Paulk	Young

—68

Nays:

Messrs.:	Gafford	Jackson (T)	Pennington
Cherner	Grainger	Meeks	Wood
Downing	Harris	Nettles	Yeilding

—11

And the bill:

H. 368. Relating to taxation, making further exemptions from State sales and use taxes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 6.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Agee	Downing	Lemley	Pennington
Bassett	Drake	Lyons	Perloff
Beck	Ellis	Malone	Pruitt
Berryman (W)	Fine	Manley	Robertson
Blanton	Foshee	Marr	Sessions
Bowers	Garrett	Mathews	Shumate
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McCorquodale	Smith
Brown	Hain	McDonald	Starnes
Burgess	Hardin	McElhaney	Steagall
Collier	Haygood	McLain	Stembridge
Collins (C)	Headley	Melton	Stubbs
Collins (W)	Hill	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Weeks
Cook (Jefferson)	Holladay	Owen (Baldwin)	Williams
Crawford	House	Owens (W)	Wood
Dill	Jackson (F)	Owens (W.E.)	Wright
Dobbs	Jones	Paulk	Young

—76

Nays:

Messrs.:	Gafford	Jackson (T)	Nettles
Cherner	Graham	Meeks	

—6

MOTION TO BRING UP H. 125 LOST

The motion of Mr. Garrett to bring up out of order the bill, H. 125, was lost.

Yeas 58; Nays 19.

Yeas:

Messrs.:	Doss	Jackson (F)	Shumate
Agee	Drake	Lemley	Slate
Berryman (W)	Ellis	Lyons	Smith
Blanton	Fine	Malone	Snell
Bolton	Foshee	Manley	Starnes
Brannan	Garrett	Mays	Steagall
Brassell	Gloor	McDonald	Stembridge
Brown	Graham	Melton	Stubbs
Burgess	Grayson	Merrill	Tuck
Cherner	Hardin	Money	Turnham
Collier	Haygood	Owens (W)	Weeks
Crawford	Headley	Owens (W.E.)	Williams
Culver	Higginbotham	Paulk	Yeilding
Dill	Hill	Pearson	Young
Dobbs	Hobbie	Robertson	

—58

Nays:

Messrs.:	Gafford	Jones	Nettles
Collins (C)	Grainger	Marr	Perloff
Collins (W)	Harris	McCorquodale	Springer
Cook (Jefferson)	House	McElhaney	Waggoner
Downing	Jackson (T)	McLain	Wood

—19

And the bill:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Pennington
Adwell	Dill	Jones	Perloff
Agee	Dobbs	Laxson	Pruitt
Bank	Downing	Lemley	Robertson
Bassett	Drake	Malone	Sessions
Beck	Ellis	Manley	Shumate
Berryman (W)	Fine	Marr	Smith
Blanton	Foshee	Mathews	Snell
Bolton	Gafford	Mays	Springer
Brannan	Graham	McCorquodale	Starnes
Brassell	Grainger	McDonald	Steagall
Brown	Grayson	McElhaney	Stembridge
Burgess	Hain	Meeks	Stubbs
Cameron	Hardin	Melton	Tuck
Cherner	Harris	Merrill	Waggoner
Collier	Haygood	Money	Watkins
Collins (C)	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Hill	Owens (W)	Wood
Cook (Jefferson)	Holladay	Owens (W.E.)	Wright
Crawford	House	Pearson	Young

—84

MOTION TO BRING UP H. 690 LOST

The motion of Mr. Lyons to suspend the rules and bring up out of order the bill, H. 690, was lost.

Yeas 36; Nays 34.

Yeas:

Messrs.:	Dobbs	Higginbotham	Owens (W.E.)
Beck	Downing	Hill	Pearson
Berryman (W)	Drake	Marr	Robertson
Blanton	Ellis	Mays	Smith
Bolton	Garrett	McElhaney	Stubbs
Brannan	Graham	McLain	Turnham
Brassell	Grainger	Nettles	Watkins
Brown	Grayson	Owen (Baldwin)	Wood
Collins (C)	Headley	Owens (W)	Young
Culver			

—36

Nays:

Mr. Speaker	Foshee	Jackson (T)	Merrill
Adwell	Gafford	Jones	Money
Agee	Hain	Lemley	Pennington
Bassett	Hardin	Malone	Stembridge
Cherner	Harris	Manley	Tuck
Collier	Haygood	McCorquodale	Weeks
Cook (Jefferson)	Hobbie	McDonald	Wright
Crawford	House	Melton	Yeilding
Dill	Jackson (F)		

—34

And the bill:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

Was read a third time at length and passed.

Yeas 87; Nays 4.

Yeas:

Mr. Speaker	Downing	Jones	Perloff
Agee	Drake	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Beck	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Smith
Bolton	Garrett	Manley	Snell
Brannan	Gloor	Mathews	Springer
Brassell	Graham	McCorquodale	Starnes
Brown	Grainger	McDonald	Steagall
Burgess	Grayson	McElhaney	Stembridge
Cameron	Hain	McLain	Stubbs
Cherner	Hardin	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Hill	Owen (Baldwin)	Wood
Crawford	Hobbie	Owens (W)	Wright
Culver	Holladay	Owens (W.E.)	Yeilding
Dill	House	Pearson	Young
Dobbs	Jackson (F)	Pennington	

—87

Nays:

Messrs.:	Marr	Slate	Watkins
Jackson (T)			

—4

And the bill:

H. 846 (with amendment). To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel

of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars (\$100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on State Administration, said Committee amendment being as follows:

In Section 2, second line, place a period after the word "Governor" and in line 3 strike the words "with the advice and consent of the Senate."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pennington
Agee	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bolton	Graham	McCorquodale	Snell
Brannan	Grainger	McDonald	Springer
Brassell	Grayson	McElhaney	Starnes
Brown	Hain	Meeks	Steagall
Cameron	Hardin	Melton	Stembridge
Cherner	Harris	Merrill	Stubbs
Collier	Haygood	Money	Tuck
Collins (C)	Headley	Nettles	Turnham
Collins (W)	Higginbotham	Neville	Weeks
Cook (Jefferson)	Hill	Owen (Baldwin)	Williams
Crawford	Hobbie	Owens (W)	Wood
Dobbs	Holladay	Owens (W.E.)	Yeilding
Doss	House	Pearson	Young
Downing	Jackson (F)		

—78

Mr. Dill offered the following amendment to the bill, H. 846, as thus amended:

Amend H. B. 846, Section 19, by changing the words and figures "two dollars (\$2.00)" to read, "one dollar (\$1.00)".

MOTION TO TABLE LOST

The motion of Mr. Hain to table the amendment offered by Mr. Dill was lost.

Yeas 37; Nays 44.

Yeas:

Mr. Speaker	Cook (Coffee)	Holladay	Owen (Baldwin)
Agee	Cook (Jefferson)	House	Owens (W)
Beck	Culver	Jones	Owens (W.E.)
Berryman (W)	Downing	Marr	Pearson
Blanton	Grayson	McElhaney	Snell
Brannan	Hain	McLain	Stubbs
Brassell	Haygood	Meade	Tuck
Collier	Headley	Melton	Turnham
Collins (C)	Hill	Neville	Young
Collins (W)			

—37

Nays:

Messrs.:	Garrett	Manley	Slate
Bassett	Graham	McCorquodale	Springer
Bolton	Grainger	McDonald	Starnes
Brown	Hardin	Meeks	Steagall
Burgess	Harris	Merrill	Stembridge
Cherner	Higginbotham	Money	Watkins
Crawford	Hobbie	Nettles	Weeks
Dill	Jackson (F)	Pennington	Williams
Dobbs	Lemley	Perloff	Wood
Doss	Lybrand	Pruitt	Wright
Ellis	Lyons	Robertson	Yeilding
Foshee			

—44

And the amendment offered by Mr. Dill to the bill, H. 846, was adopted.

Yeas 51; Nays 28.

Yeas:

Messrs.:	Ellis	Jones	Robertson
Bassett	Gafford	Lybrand	Springer
Beck	Garrett	Lyons	Starnes
Berryman (W)	Graham	Mathews	Steagall
Bolton	Grainger	McCorquodale	Stubbs
Brassell	Hardin	McElhaney	Tuck
Brown	Harris	McLain	Waggoner
Burgess	Haygood	Meeks	Watkins
Cameron	Higginbotham	Melton	Weeks
Cherner	Hill	Merrill	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crawford	House	Pearson	Yeilding
Downing	Jackson (T)	Perloff	Young

—51

Nays:

Mr. Speaker	Culver	Lemley	Pruitt
Agee	Dobbs	Marr	Sessions
Blanton	Foshee	Meade	Slate
Brannan	Hain	Money	Snell
Collins (C)	Headley	Neville	Stembridge
Collins (W)	Hobbie	Owen (Baldwin)	Turnham
Cook (Coffee)	Jackson (F)	Pennington	Wright

—28

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until two o'clock P. M. on Tuesday, August 12, 1969, was lost.

Yeas 30; Nays 58.

Yeas:

Messrs.:	Graham	McCorquodale	Slate
Berryman (W)	Harris	Meeks	Stembridge
Brannan	Haygood	Melton	Stubbs
Brown	Lemley	Merrill	Watkins
Burgess	Lyons	Owen (Baldwin)	Weeks
Collier	Malone	Owens (W)	Wood
Collins (C)	Manley	Owens (W.E.)	Wright
Crawford	Mathews	Pruitt	

—30

Nays:

Mr. Speaker	Dobbs	Hobbie	Pennington
Agee	Doss	House	Perloff
Bank	Downing	Jackson (F)	Robertson
Bassett	Drake	Jackson (T)	Sessions
Beck	Ellis	Jones	Snell
Blanton	Foshee	Lybrand	Springer
Bolton	Gafford	Marr	Starnes
Brassell	Garrett	McDonald	Steagall
Cameron	Grainger	McElhaney	Tuck
Cherner	Grayson	McLain	Turnham
Collins (W)	Hain	Meade	Waggoner
Cook (Coffee)	Hardin	Money	Williams
Cook (Jefferson)	Headley	Nettles	Yeilding
Culver	Higginbotham	Pearson	Young
Dill	Hill		

—58

MOTION TO CARRY OVER H. 846

Mr. Lyons moved to carry over the bill, H. 846, to the thirtieth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Hain to table the motion of Mr. Lyons to carry over was lost.

Yeas 20; Nays 48.

Yeas:

Mr. Speaker	Collins (C)	Grayson	Meade
Agee	Cook (Coffee)	Hain	Neville
Blanton	Crawford	Hill	Owen (Baldwin)
Brannan	Dobbs	McCorquodale	Snell
Brassell	Ellis	McDonald	Springer

—20

Nays:

Messrs.:	Cherner	Downing	Haygood
Adwell	Collier	Foshee	Higginbotham
Beck	Collins (W)	Gafford	Hobbie
Bolton	Culver	Gloor	Holladay
Bowers	Dill	Grainger	Jackson (F)
Cameron	Doss	Hardin	Jackson (T)

REGULAR SESSION

2041

Jones	Merrill	Sessions	Watkins
Lyons	Nettles	Slate	Weeks
Malone	Pennington	Starnes	Wood
Manley	Perloff	Stubbs	Wright
McLain	Pruitt	Tuck	Yeilding
Meeks	Robertson	Waggoner	Young
Melton			

—48

And the motion of Mr. Lyons to carry over the bill, H. 846, was adopted.

Yeas 53; Nays 29.

Yeas:

Messrs.:	Ellis	McDonald	Slate
Adwell	Foshee	McLain	Starnes
Beck	Gafford	Meade	Stembridge
Bowers	Gloor	Meeks	Stubbs
Cameron	Grainger	Melton	Tuck
Cherner	Hardin	Merrill	Waggoner
Collier	Higginbotham	Nettles	Watkins
Collins (W)	Hobbie	Owens (W)	Weeks
Crawford	Jackson (F)	Owens (W.E.)	Williams
Culver	Jackson (T)	Pennington	Wood
Dill	Jones	Perloff	Wright
Doss	Lyons	Pruitt	Yeilding
Downing	Malone	Robertson	Young
Drake	Manley		

—53

Nays:

Mr. Speaker	Cook (Jefferson)	Lybrand	Pearson
Agee	Dobbs	Marr	Sessions
Blanton	Grayson	Mathews	Smith
Bolton	Hain	McCorquodale	Snell
Brannan	Headley	Money	Springer
Brassell	Holladay	Neville	Steagall
Collins (C)	House	Owen (Baldwin)	Turnham
Cook (Coffee)			

—29

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 27; Nays 57.

Yeas:

Messrs.:	Crawford	Mathews	Pruitt
Berryman (W)	Dill	McCorquodale	Slate
Blanton	Hain	Meade	Steagall
Bowers	Haygood	Melton	Stembridge
Brannan	Lyons	Merrill	Watkins
Collier	Malone	Owens (W)	Weeks
Collins (C)	Manley	Owens (W.E.)	Wood

—27

Nays:

Mr. Speaker	Bassett	Cameron	Culver
Adwell	Beck	Cherner	Dobbs
Agee	Bolton	Collins (W)	Doss
Bank	Brassell	Cook (Jefferson)	Downing

Drake	Hill	McLain	Sessions
Ellis	Hobbie	Meeks	Smith
Foshee	House	Money	Springer
Gafford	Jackson (F)	Nettles	Starnes
Gloor	Jackson (T)	Neville	Stubbs
Grainger	Jones	Owen (Baldwin)	Tuck
Grayson	Lybrand	Pearson	Turnham
Hardin	Marr	Pennington	Waggoner
Harris	McDonald	Perloff	Williams
Headley	McElhaney	Robertson	Young
Higginbotham			

—57

And the bill:

H. 948 (with substitute) (with amendment). Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Transportation, said substitute being as follows:

Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 9, Sections 60, 61 and 66, are hereby amended to read as follows:

"Section 60. The rate of interest upon the loan or forbearance of money, goods or things in action, except by written contract, is eight dollars upon one hundred dollars for one year, and the rate of interest by written contract is not to exceed ten dollars upon one hundred dollars for one year; and at that rate for a greater or less sum, or for a longer or shorter time.

"Section 61. It shall be lawful to lend money at eight percent per annum or less and to aggregate principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

"Section 66. Any banker who discounts any note, bill of exchange, or draft at a higher rate of interest than ten percent per annum, not including the difference of exchange, cannot enforce the collection of the same, except as to principal; and if any interest has been paid, the same must be deducted from the principal and judgment rendered for the balance only."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nay 1.

Yeas:

Mr. Speaker	Drake	Marr	Perloff
Agee	Fine	Mathews	Pruitt
Bank	Foshee	Mays	Robertson
Bassett	Gloor	McCorquodale	Sessions
Beck	Graham	McDonald	Shumate
Berryman (W)	Grainger	McElhaney	Snell
Blanton	Grayson	McLain	Springer
Bowers	Hardin	Meade	Steagall
Brannan	Haygood	Meeks	Stembridge
Brassell	Headley	Melton	Stubbs
Cameron	Higginbotham	Merrill	Tuck
Collier	Hill	Money	Turnham
Collins (W)	Hobbie	Nettles	Waggoner
Cook (Jefferson)	Holladay	Neville	Weeks
Crawford	House	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wood
Dill	Jones	Owens (W.E.)	Wright
Dobbs	Lybrand	Pearson	Yeilding
Doss	Malone	Pennington	Young
Downing	Manley		

—78

Nay: Mr. Slate.

—1

The question then was on the adoption of the amendment to the substitute reported by the Standing Committee on Transportation, said amendment being as follows:

Amend Section 1 of House Bill 948 by adding the following to Section 60 of Title 9, Code of Alabama 1940 as amended in the bill:

"The rate of interest by written contract shall be computed upon the assumption that the indebtedness will be paid according to the agreed terms and will not be paid before the maturities stated therein. Discount and other charges paid for the loan or forbearance of money, or for goods or things in action, which are in the nature of and taken into account in the calculation of interest, even though paid at one time, shall be spread over the stated term of the loan or forbearance for purposes of determining the rate of interest under this section."

And the amendment was adopted.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Meade
Agee	Culver	Hill	Meeks
Bassett	Dill	Hobbie	Melton
Beck	Dobbs	Holladay	Merrill
Berryman (W)	Doss	House	Money
Blanton	Downing	Jackson (F)	Nettles
Bowers	Drake	Jones	Neville
Brannan	Ellis	Lybrand	Owen (Baldwin)
Brassell	Fine	Lyons	Owens (W)
Cameron	Grainger	Manley	Owens (W.E.)
Cherner	Grayson	Marr	Pearson
Collier	Hain	Mays	Pennington
Collins (W)	Hardin	McDonald	Pruitt
Cook (Coffee)	Haygood	McElhaney	Robertson
Cook (Jefferson)	Headley	McLain	Sessions

Shumate
Slate
Snell
Springer

Steagall
Stembridge
Stubbs

Tuck
Turnham
Waggoner

Williams
Wood
Wright

—73

Nays: Messrs. Garrett, Gloor and Jackson (T).

—3

Mr. Downing offered the following substitute to the bill, H. 948, as amended:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 9, Sections 60, 61 and 66, are hereby amended to read as follows:

"Section 60. The rate of interest upon the loan or forbearance of money, goods or things in action, except by written contract, is eight dollars upon one hundred dollars for one year, and the rate of interest by written contract is not to exceed ten dollars upon one hundred dollars for one year; and at that rate for a greater or less sum, or for a longer or shorter time.

"The rate of interest by written contract shall be computed upon the assumption that the indebtedness will be paid according to the agreed terms and will not be paid before the maturities stated therein. Discount and other charges paid for the loan or forbearance of money, or for goods or things in action, which are in the nature of and taken into account in the calculation of interest, even though paid at one time, shall be spread over the stated term of the loan or forbearance for purposes of determining the rate of interest under this section.

"Section 61. It shall be lawful to lend money at the rate of eight percent or less per annum and to aggregate principal and interest at the date of the loan for the entire period of the loan and to divide the sum of the principal and interest for the entire period of the loan into monthly or other installments.

"Section 66. Any banker who discounts any note, bill of exchange, or draft at a higher rate of interest than ten percent per annum, not including the difference of exchange, cannot enforce the collection of the same, except as to principal; and if any interest has been paid, the same must be deducted from the principal and judgment rendered for the balance only."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker	Doss	Lyons	Perloff
Agee	Downing	Manley	Pruitt
Bank	Drake	Marr	Robertson
Bassett	Ellis	Mathews	Sessions
Beck	Fine	Mays	Shumate
Berryman (W)	Gafford	McCorquodale	Slate
Blanton	Gloor	McDonald	Snell
Bowers	Graham	McElhaney	Springer
Brannan	Grainger	McLain	Starnes
Brassell	Grayson	Meade	Steagall
Burgess	Hain	Meeks	Stembridge
Cameron	Hardin	Melton	Stubbs
Cherner	Haygood	Merrill	Tuck
Collier	Headley	Money	Turnham
Collins (W)	Higginbotham	Nettles	Waggoner
Cook (Coffee)	Hill	Neville	Weeks
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Williams
Crawford	Holladay	Owens (W)	Wood
Culver	House	Owens (W.E.)	Wright
Dill	Jones	Pearson	Yeilding
Dobbs	Lybrand	Pennington	—83

Nays: Messrs. Garrett and Malone.

—2

And the bill, H. 948, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 10.

Yeas:

Mr. Speaker	Dill	Lybrand	Pennington
Adwell	Dobbs	Malone	Perloff
Agee	Downing	Manley	Pruitt
Bank	Drake	Marr	Shumate
Bassett	Ellis	Mathews	Snell
Beck	Gafford	Mays	Springer
Berryman (W)	Gloor	McCorquodale	Starnes
Blanton	Grainger	McElhaney	Steagall
Bowers	Hain	McLain	Stembridge
Brannan	Hardin	Meade	Tuck
Brassell	Haygood	Meeks	Turnham
Cameron	Headley	Merrill	Waggoner
Cherner	Higginbotham	Money	Watkins
Collier	Hill	Nettles	Weeks
Collins (W)	Hobbie	Neville	Williams
Cook (Coffee)	Holladay	Owen (Baldwin)	Wood
Crawford	House	Owens (W.E.)	Wright
Culver	Jones	Pearson	Yeilding
			—72

Nays:

Messrs.:	Doss	Jackson (T)	Slate
Burgess	Garrett	Melton	Stubbs
Collins (C)	Grayson	Robertson	—10

MOTION TO BRING UP H. 147 LOST

The motion of Mr. Turnham to suspend the rules and bring up out of order the bill, H. 147, was lost.

Yeas 53; Nays 24.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Pearson
Agee	Doss	Hill	Robertson
Bank	Downing	Malone	Sessions
Berryman (W)	Drake	Marr	Shumate
Blanton	Ellis	Mays	Slate
Brannan	Gloor	Meade	Snell
Brassell	Grainger	Meeks	Starnes
Cameron	Grayson	Melton	Steagall
Collier	Hain	Money	Stembridge
Collins (C)	Hardin	Nettles	Stubbs
Collins (W)	Harris	Neville	Turnham
Crawford	Haygood	Owen (Baldwin)	Yeilding
Culver	Headley	Owens (W.E.)	Young
Dill			

—53

Nays:

Messrs.:	Jackson (F)	McLain	Tuck
Burgess	Jackson (T)	Merrill	Waggoner
Cook (Coffee)	Jones	Pennington	Weeks
Cook (Jefferson)	Manley	Perloff	Williams
Foshee	McCorquodale	Pruitt	Wood
Graham	McElhaney	Springer	Wright
House			

—24

MOTION TO BRING UP H. 1127 LOST

The motion of Mr. Fine to suspend the rules and bring up the bill, H. 1127, was lost.

Yeas 59; Nays 22.

Yeas:

Mr. Speaker	Cook (Coffee)	House	Slate
Agee	Crawford	Jackson (F)	Snell
Bank	Culver	Marr	Springer
Bassett	Dobbs	Mays	Starnes
Beck	Downing	McElhaney	Steagall
Berryman (W)	Drake	Meade	Stembridge
Blanton	Ellis	Meeks	Stubbs
Bolton	Fine	Melton	Tuck
Bowers	Foshee	Merrill	Waggoner
Brannan	Garrett	Money	Weeks
Brassell	Grayson	Neville	Williams
Brown	Hain	Owen (Baldwin)	Wood
Cameron	Hardin	Pearson	Wright
Collier	Headley	Robertson	Young
Collins (C)	Hill	Sessions	

—59

Nays:

Messrs.:	Graham	Jones	Owens (W.E.)
Burgess	Grainger	Lybrand	Pennington
Cherner	Harris	Malone	Perloff
Dill	Haygood	Manley	Turnham
Gafford	Higginbotham	McLain	Yeilding
Gloor	Jackson (T)	Nettles	

—22

And the bill:

H. 1145 (with amendment). To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any sectional provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Transportation, said Committee amendment being as follows:

Amend House Bill 1145, Section 1 by striking the period and substitute a comma, and adding the following: "but in no event exceed 18% per annum."

And the amendment was adopted.

Yeas 71; Nays 6.

Yeas:

Messrs.:	Doss	Lybrand	Pennington
Agee	Downing	Lyons	Perloff
Bank	Drake	Manley	Pruitt
Beck	Ellis	Marr	Robertson
Berryman (W)	Foshee	Mathews	Sessions
Blanton	Gloor	Mays	Shumate
Bolton	Graham	McCorquodale	Slate
Bowers	Grainger	McElhaney	Snell
Brannan	Grayson	McLain	Springer
Brassell	Hardin	Meade	Starnes
Brown	Harris	Meeks	Steagall
Cameron	Haygood	Melton	Stembridge
Collins (W)	Headley	Merrill	Stubbs
Cook (Coffee)	Higginbotham	Nettles	Tuck
Crawford	Hill	Neville	Williams
Culver	House	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs	Jones	Pearson	Young

—71

Nays:

Messrs.:	Collins (C)	Malone	Wood
Collier	Garrett	Turnham	

—6

MOTION TO ADJOURN LOST

The motion of Mrs. Collins (C) that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 41; Nays 47.

Yeas:

Mr. Speaker	Brannan	Collier	Dill
Bassett	Brassell	Collins (C)	Downing
Beck	Brown	Cook (Coffee)	Drake
Berryman (W)	Burgess	Crawford	Fine
Blanton	Cherner	Culver	Graham

Hain	Mays	Owens (W.E.)	Stembridge
Hardin	Meade	Pruitt	Turnham
Haygood	Melton	Shumate	Watkins
Headley	Neville	Slate	Weeks
Lyons	Owen (Baldwin)	Steagall	Yeilding
Malone			

—41

Nays:

Messrs.:	Grainger	Manley	Perloff
Agee	Grayson	Marr	Robertson
Bank	Harris	McCorquodale	Sessions
Cameron	Higginbotham	McDonald	Smith
Collins (W)	Hill	McElhaney	Snell
Cook (Jefferson)	Hobbie	McLain	Springer
Dobbs	Holladay	Meeks	Stubbs
Doss	House	Merrill	Tuck
Ellis	Jackson (F)	Money	Waggoner
Foshee	Jackson (T)	Nettles	Williams
Garrett	Jones	Pearson	Wood
Gloor	Lybrand	Pennington	Wright

—47

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 37; Nays 47.

Yeas:

Mr. Speaker	Cherner	Hain	Neville
Bassett	Collier	Hardin	Owen (Baldwin)
Beck	Crawford	Haygood	Pruitt
Berryman (W)	Dill	Higginbotham	Slate
Blanton	Dobbs	Kilgore	Steagall
Bowers	Downing	Malone	Stembridge
Brannan	Drake	Mays	Watkins
Brassell	Fine	Meade	Weeks
Brown	Graham	Melton	Yeilding
Burgess			

—37

Nays:

Messrs.:	Grainger	Marr	Robertson
Agee	Grayson	McCorquodale	Sessions
Bank	Harris	McDonald	Shumate
Bolton	Hill	McElhaney	Smith
Cameron	Hobbie	McLain	Snell
Collins (W)	Holladay	Meeks	Springer
Cook (Jefferson)	House	Merrill	Stubbs
Culver	Jackson (F)	Money	Tuck
Doss	Jackson (T)	Nettles	Turnham
Ellis	Jones	Pearson	Waggoner
Foshee	Lybrand	Pennington	Wood
Garrett	Manley	Perloff	Wright

—47

MOTION TO CARRY OVER H. 1145 TABLED

Mr. Cherner moved that the bill, H. 1145, be carried over to the thirtieth legislative day.

On motion of Mr. McLain, the motion of Mr. Cherner to carry over was tabled.

Yeas 44; Nays 32.

Yeas:

Mr. Speaker	Drake	Lemley	Melton
Bank	Fine	Lybrand	Merrill
Beck	Grainger	Lyons	Nettles
Bolton	Grayson	Manley	Neville
Brannan	Harris	Marr	Owen (Baldwin)
Brassell	Haygood	Mays	Pruitt
Cameron	Hill	McCorquodale	Stubbs
Collins (W)	Hobbie	McElhaney	Tuck
Culver	Holladay	McLain	Williams
Dobbs	Jones	Meade	Wright
Downing	Laxson	Meeks	Young

—44

Nays:

Messrs.:	Ellis	Money	Springer
Berryman (W)	Foshee	Pennington	Stembridge
Brown	Garrett	Perloff	Turnham
Burgess	Graham	Robertson	Waggoner
Collier	Hain	Sessions	Watkins
Cook (Jefferson)	House	Shumate	Weeks
Crawford	Jackson (F)	Slate	Wood
Dill	Malone	Snell	Yeilding
Doss			

—32

Mr. Neville offered the following amendment to the bill, H. 1145, as amended:

Amend Section 1 by omitting the period and adding after credits.

And the amendment was adopted.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Foshee	Manley	Pruitt
Agee	Graham	Marr	Sessions
Bank	Grayson	Mathews	Shumate
Bassett	Hain	Mays	Slate
Beck	Harris	McCorquodale	Snell
Berryman (W)	Haygood	McElhaney	Springer
Blanton	Headley	McLain	Starnes
Bowers	Higginbotham	Meade	Steagall
Brannan	Hill	Meeks	Stembridge
Brassell	Hobbie	Melton	Stubbs
Cameron	Holladay	Merrill	Tuck
Collins (W)	House	Money	Turnham
Crawford	Jackson (F)	Nettles	Weeks
Culver	Jones	Neville	Williams
Dobbs	Laxson	Owen (Baldwin)	Wood
Downing	Lemley	Pearson	Wright
Drake	Lybrand	Pennington	Yeilding
Ellis	Malone	Perloff	Young
Fine			

—73

Nays: Messrs. Brown, Dill and Garrett.

—3

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 10.

Yeas:

Mr. Speaker	Drake	Lybrand	Owen (Baldwin)
Agee	Ellis	Malone	Pearson
Bank	Fine	Manley	Pennington
Bassett	Graham	Marr	Pruitt
Beck	Grainger	Mathews	Sessions
Berryman (W)	Grayson	Mays	Shumate
Blanton	Hain	McCorquodale	Slate
Bowers	Harris	McElhanev	Snell
Brannan	Haygood	McLain	Springer
Brassell	Headley	Meade	Starnes
Cameron	Higginbotham	Meeks	Steagall
Collins (W)	Hill	Melton	Stubbs
Crawford	Hobbie	Merrill	Tuck
Culver	Holladay	Money	Williams
Dill	Jones	Nettles	Wright
Dobbs	Laxson	Neville	Yeilding
Downing	Lemley		

—66

Nays:

Messrs.:	Garrett	Perloff	Weeks
Brown	House	Robertson	Wood
Foshee	Jackson (T)	Turnham	

—10

MOTION TO ADJOURN LOST

The motion of Mr. Downing that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 44; Nays 48.

Yeas:

Mr. Speaker	Cook (Coffee)	Headley	Owen (Baldwin)
Bassett	Crawford	Higginbotham	Owens (W.E.)
Beck	Dill	Holladay	Pruitt
Berryman (W)	Dobbs	Kilgore	Shumate
Blanton	Drake	Laxson	Slate
Bowers	Fine	Malone	Steagall
Brannan	Graham	Mays	Stembridge
Brassell	Hain	Meade	Watkins
Brown	Hardin	Meeks	Weeks
Burgess	Harris	Melton	Williams
Collier	Haygood	Neville	Wright

—44

Nays:

Messrs.:	Foshee	Manley	Perloff
Adwell	Gafford	Marr	Robertson
Agee	Garrett	Mathews	Sessions
Bank	Gloor	McCorquodale	Smith
Bolton	Grainger	McDonald	Snell
Cameron	Grayson	McElhanev	Springer
Cherner	Hill	McLain	Starnes
Collins (W)	Hobbie	Merrill	Stubbs
Cook (Jefferson)	House	Money	Tuck
Culver	Jackson (F)	Nettles	Turnham
Doss	Jackson (T)	Pearson	Waggoner
Downing	Lybrand	Pennington	Wood
Ellis			

—48

And the bill:

H. 106. To permit persons, firms, corporations, partnerships and associations when borrowing money in amounts of not less than \$100,000 to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Ellis	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Blanton	Graham	Marr	Sessions
Bolton	Grainger	Mathews	Shumate
Bowers	Grayson	Mays	Smith
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McDonald	Springer
Brown	Harris	McElhaney	Starnes
Cameron	Haygood	McLain	Steagall
Cherner	Headley	Meade	Stembridge
Collier	Higginbotham	Meeks	Stubbs
Collins (W)	Hill	Melton	Tuck
Crawford	Hobbie	Merrill	Weeks
Culver	Holladay	Money	Williams
Dill	House	Nettles	Wood
Dobbs	Jackson (F)	Neville	Wright
Downing	Jones	Owen (Baldwin)	Yeilding
Drake	Laxson	Pearson	Young

—80

Nays: Messrs. Slate and Turnham.

—2

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 43; Nays 47.

Yeas:

Mr. Speaker	Dill	Kilgore	Paulk
Bassett	Dobbs	Laxson	Pruitt
Beck	Drake	Lemley	Shumate
Berryman (W)	Fine	Malone	Slate
Blanton	Graham	Mays	Steagall
Bowers	Hain	Meade	Stembridge
Brannan	Hardin	Meeks	Watkins
Brassell	Harris	Melton	Weeks
Brown	Headley	Merrill	Williams
Burgess	Higginbotham	Neville	Wright
Crawford	Holladay	Owen (Baldwin)	

—43

Nays:

Messrs.:	Ellis	Lybrand	Perloff
Adwell	Foshee	Manley	Robertson
Agee	Gafford	Marr	Sessions
Bank	Garrett	Mathews	Smith
Bolton	Gloor	McCorquodale	Snell
Cameron	Grainger	McDonald	Starnes
Cherner	Grayson	McElhaney	Stubbs
Collins (W)	Hill	McLain	Tuck
Cook (Jefferson)	Hobbie	Money	Turnham
Culver	House	Nettles	Waggoner
Doss	Jackson (F)	Pearson	Wood
Downing	Jackson (T)	Pennington	Young

—47

And the bill:

H. 1244. To amend Code of Alabama 1940, Title 14, Section 389, which provides for the location of offices and laboratories of the state toxicologists, so as to require one of such offices and laboratories to be maintained in Mobile County.

Was read a third time at length and passed, and ordered sent forth-to the Senate without engrossment.

Yeas 55; Nays 20.

Yeas:

Mr. Speaker	Foshee	Manley	Perloff
Agee	Garrett	Marr	Pruitt
Bank	Graham	Mays	Robertson
Bassett	Grainger	McCorquodale	Sessions
Blanton	Grayson	McElhaney	Shumate
Bolton	Hain	McLain	Smith
Brannan	Hardin	Meade	Springer
Burgess	Headley	Melton	Stembridge
Cameron	Holladay	Merrill	Stubbs
Collins (W)	Jackson (F)	Money	Tuck
Culver	Jones	Nettles	Williams
Dobbs	Laxson	Owen (Baldwin)	Wood
Downing	Lemley	Pearson	Young
Drake	Lybrand	Pennington	

—55

Nays:

Messrs.:	Doss	Hobbie	Snell
Berryman (W)	Gafford	Jackson (T)	Starnes
Brassell	Haygood	Malone	Turnham
Brown	Higginbotham	Neville	Weeks
Cherner	Hill	Slate	Wright
Dill			

—20

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until two o'clock P. M. Tuesday, August 12, 1969, was lost.

Yeas 39; Nays 50.

Yeas:

Mr. Speaker	Berryman (W)	Brannan	Collier
Bassett	Blanton	Brassell	Crawford
Beck	Bowers	Burgess	Drake

Fine	Higginbotham	Meeks	Steagall
Graham	Holladay	Merrill	Stembridge
Hain	Kilgore	Neville	Watkins
Hardin	Laxson	Owen (Baldwin)	Weeks
Harris	Malone	Pruitt	Williams
Haygood	Mays	Shumate	Wright
Headley	Meade	Slate	

—39

Nays:

Messrs.:	Foshee	Marr	Robertson
Agee	Gafford	Mathews	Sessions
Bank	Garrett	McCorquodale	Smith
Bolton	Grainger	McDonald	Snell
Brown	Grayson	McElhaney	Springer
Cameron	Hill	McLain	Starnes
Cherner	Hobbie	Melton	Stubbs
Collins (W)	House	Money	Tuck
Cook (Jefferson)	Jackson (F)	Nettles	Turnham
Culver	Jackson (T)	Paulk	Waggoner
Doss	Jones	Pearson	Wood
Downing	Lybrand	Pennington	Young
Ellis	Manley	Perloff	

—50

And the bill:

H. 796. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions and industry, and to authorize counties and municipalities to provide for collection and disposal of solid wastes and charge a fee therefor, and to contract for such services to be performed by others, and to permit the formation of districts or areas beyond corporate limits, or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act or rules and regulations pursuant thereto, in the interest of the public health, comfort and safety.

Was taken up.

Mr. Pennington offered the following amendment to the bill, H. 796:

Amend House Bill No. 796 by deleting the subsection (d) of Section 1 and substituting therefor the following:

“(d) Ashes: The solid residue from burning of wood, coal, coke, or other combustible material used for heating, or from incineration of solid wastes, but excepting solid residue the storage or disposition of which is controlled by other agencies.”

And the amendment was adopted.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Dill
Adwell	Blanton	Cameron	Dobbs
Agee	Bolton	Collier	Doss
Bank	Bowers	Collins (W)	Downing
Bassett	Brannan	Crawford	Drake
Beck	Brassell	Culver	Ellis

Fine	Hobbie	McLain	Snell
Foshee	House	Meade	Springer
Gafford	Jackson (F)	Meeks	Starnes
Garrett	Jones	Melton	Steagall
Gloor	Laxson	Merrill	Stembridge
Graham	Lemley	Money	Tuck
Grainger	Lybrand	Nettles	Waggoner
Grayson	Malone	Neville	Watkins
Hain	Manley	Pearson	Weeks
Hardin	Marr	Pennington	Williams
Harris	Mays	Perloff	Wood
Haygood	McCorquodale	Pruitt	Wright
Headley	McDonald	Robertson	Yeilding
Higginbotham	McElhaney	Slate	Young
Hill			

—81

Nays: Messrs. Cherner and Turnham.

—2

And the bill, H. 796, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Adwell	Drake	Lemley	Pruitt
Agee	Fine	Lybrand	Robertson
Bank	Foshee	Malone	Shumate
Bassett	Gafford	Manley	Slate
Beck	Garrett	Marr	Smith
Berryman (W)	Gloor	Mathews	Snell
Blanton	Graham	Mays	Springer
Bolton	Grainger	McCorquodale	Starnes
Bowers	Grayson	McDonald	Steagall
Brannan	Hain	McElhaney	Stembridge
Brassell	Hardin	McLain	Stubbs
Brown	Harris	Meade	Tuck
Cameron	Haygood	Meeks	Turnham
Cherner	Headley	Melton	Waggoner
Collier	Higginbotham	Merrill	Watkins
Collins (W)	Hill	Money	Weeks
Cook (Coffee)	Hobbie	Nettles	Williams
Crawford	Holladay	Neville	Wood
Culver	House	Owen (Baldwin)	Wright
Dill	Jackson (F)	Pearson	Yeilding
Dobbs	Jackson (T)	Pennington	Young
Doss	Jones		

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CO-SPONSOR ADDED TO H. 796

At the request of Mr. Culver, permission was granted for him to be added as a co-sponsor to the bill, H. 796.

And the bill:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Was read a third time at length and passed.

Yeas 61; Nays 11.

Yeas:

Mr. Speaker	Foshee	Laxson	Pennington
Berryman (W)	Garrett	Lybrand	Perloff
Blanton	Grainger	Manley	Pruitt
Bowers	Grayson	Mathews	Robertson
Brannan	Hain	Mays	Slate
Brassell	Hardin	McCorquodale	Smith
Brown	Harris	McElhaney	Snell
Burgess	Haygood	McLain	Springer
Cameron	Headley	Melton	Stembridge
Collier	Higginbotham	Merrill	Tuck
Collins (W)	Hill	Money	Weeks
Crawford	Hobbie	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Downing	Jackson (F)	Owens (W.E.)	Wright
Drake	Jones	Pearson	Young
Fine			—61

Nays:

Messrs.:	Ellis	Lemley	Meeks
Bolton	Gafford	Malone	Nettles
Dill	Jackson (T)	Marr	Yeilding
			—11

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:15 p. m. on August 7, 1969.

H. 981

Delivered to the Governor at 4:15 p. m. on August 7, 1969.

H. 870

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Shumate, the House adjourned until two o'clock P. M. Tuesday, August 12, 1969.

Yeas 48; Nays 44.

Yeas:

Mr. Speaker	Crawford	Kilgore	Owens (W.E.)
Adwell	Dill	Laxson	Perloff
Agee	Doss	Malone	Pruitt
Bassett	Downing	Marr	Shumate
Berryman (W)	Fine	Mays	Slate
Blanton	Graham	McCorquodale	Steagall
Bowers	Hain	McDonald	Stembridge
Brannan	Hardin	Meade	Watkins
Brassell	Harris	Meeks	Weeks
Brown	Haygood	Melton	Williams
Burgess	Headley	Neville	Wood
Collier	Higginbotham	Owen (Baldwin)	Wright

—48

Nays:

Messrs.:	Gafford	Lybrand	Robertson
Bank	Garrett	Manley	Sessions
Bolton	Gloor	Mathews	Smith
Cameron	Grainger	McElhanev	Snell
Cherner	Grayson	McLain	Springer
Collins (W)	Hill	Merrill	Starnes
Cook (Jefferson)	Hobbie	Money	Stubbs
Culver	House	Nettles	Tuck
Dobbs	Jackson (F)	Paulk	Turnham
Drake	Jackson (T)	Pearson	Waggoner
Ellis	Jones	Pennington	Young
Foshee			

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 TWENTY-NINTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, August 12, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry L. Lyon, Jr., Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McDonald	Stembridge
Cameron	Hardin	McElhanev	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Meeks	Waggoner
Collins (W)	Headley	Melton	Watkins
Cook (Coffee)	Higginbotham	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Hobbie	Nettles	Wood
Crawford	Holladay	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

A quorum was present.

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-eighth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 116. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-ninth Legislative Day, taking precedence over any other business in the House on this day:

Report of Standing Committees

Introduction of Bills

Senate Messages

Uncontested Local Bills

SB 201, Page 96

SB 208, Page 122

SB 310, Page 123

SB 278, Page 123

HB 586, Page 55

HB 1285, Page 121

SB 246, Page 44

HB 825, Page 126

HB 614, Page 31

HB 616, Page 31

HB 194, Page 79

HB 1132, Page 94

HB 201, Page 21

HB 422, Page 28

HB 424, Page 28

HB 587, Page 68

HB 585, Page 69

HB	33,	Page	70
HB	1302,	Page	129
SB	124,	Page	50
HB	336,	Page	25
HB	734,	Page	45
HB	1063,	Page	99
HB	1220,	Page	96
HB	1105,	Page	91
HB	1107,	Page	91
HB	584,	Page	37
HB	1127,	Page	107
HB	1307,	Page	140
HB	1308,	Page	142
HB	1325,	Page	122
HB	593,	Page	45
HB	775,	Page	61
HB	993,	Page	106
HB	2,	Page	73
HB	3,	Page	74
HB	44,	Page	8
SB	44,	Page	38
HB	361,	Page	11
HB	447,	Page	10
HB	975,	Page	126
HB	1327,	Page	145
HB	151,	Page	3
HB	309,	Page	9
HB	1313,	Page	122
HB	1172,	Page	92
SB	311,	Page	95
HB	1072,	Page	91
HB	84,	Page	103
HB	377,	Page	47
HB	632,	Page	38
HB	517,	Page	61
HB	1086,	Page	81

HB 1087, Page 81
HB 690, Page 73
HB 754, Page 42
HB 831, Page 110
HB 148, Page 40
HB 95, Page 20
HB 101, Page 12
HB 637, Page 48
HB 1284, Page 121
HB 59, Page 3
HB 719, Page 89
HB 720, Page 88
HB 721, Page 87
HB 240, Page 29
HB 270, Page 24
HB 1272, Page 128
HB 749, Page 47
HB 147, Page 2
HB 1296, Page 111
HB 875, Page 78
HB 644, Page 116
HB 358, Page 18
HB 359, Page 18
SB 113, Page 75
HB 666, Page 46
HB 203, Page 55
HB 89, Page 8
HB 515, Page 39
HB 516, Page 39
HB 580, Page 74
HB 356, Page 86

On motion of Mr. Merrill, H. R. 116 was adopted.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Merrill, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Pault, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 117. WHEREAS the State of Alabama, the Senate, and the House of Representatives have suffered a grievous loss in the passing of Charles Madison Cooper, Director of the Legislative Reference Service, and

WHEREAS Mr. Cooper has for many years been regarded by judges, attorneys, and members of the legislature as one of the leading constitutional lawyers in the state, and an outstanding authority on legislation and legislative writing, and

WHEREAS Mr. Cooper as Director of the Legislative Reference Service, as Secretary of the Legislative Council and in many other official and unofficial capacities, served the interests of the state and of the people of Alabama for over twenty-five years, and has been awarded national as well as statewide recognition for his services in the field of legislation, and

WHEREAS Mr. Cooper has long been a trusted friend and wise counsellor to the members of this body and has contributed immeasurably to the preparation and passage of legislation which shall long accrue to his personal credit, and to the benefit of the people of Alabama, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That each member of this body feels a personal loss and bereavement at the passing of Charles M. Cooper and we extend our heartfelt sympathy to the members of his family.

RESOLVED FURTHER, that copies of this resolution be sent to Mrs. Charles M. Cooper, and to their son and daughter, Charles M. Cooper, Jr. and Mrs. Richard Humphrey.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 117 was adopted.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 775. To make an appropriation for the payment of expenses of the Legislature.

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 893. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and the employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 36. To provide for the uniform disposition of unclaimed and abandoned tangible and intangible personal property including a definition of terms, property held by banking or financial institutions, unclaimed funds held by insurance companies, deposits and refunds held by utilities, undistributed dividends and distributions of business association, property of business associations and banking or financial organizations held in course of dissolution, property held by fiduciaries, property held by Federal Courts and Federal officers and agencies, miscellaneous personal property held for another person; to provide for reciprocity for property presumed abandoned or escheated under the laws of another state; to provide for the report of abandoned property; to provide for the notice and publication of lists of abandoned property; to provide for the payment or delivery of abandoned property to the

Commissioner of Revenue; to provide for the relief from liability to the holder by payment or delivery to the Commissioner of Revenue; to provide that no income shall accrue after payment or delivery to the Commissioner of Revenue; to provide that periods of limitation shall not be a bar to recovery by the Commissioner of Revenue or the duty to file reports; to provide for the sale of abandoned property; to provide for the deposit and disposition of funds; to provide for the claim for abandoned property paid or delivered; to provide for the determination of claims by the Commissioner of Revenue; to provide for judicial action or review; to provide for election by the Commissioner of Revenue to take payment or delivery in certain cases; to provide for the examination of records; to provide for judicial proceedings to compel payment or delivery; to prescribe penalties; to provide for the administration and enforcement of the Act by the Commissioner of Revenue and the State Department of Revenue; to provide for the effect of laws of other states; to provide for the severability of this Act; to provide for the uniformity of interpretation of this Act; to provide for a short title of this Act; to repeal conflicting laws; and to provide an effective date for this Act.

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

S. 154. To amend Section 156, Title 41, Code of Alabama 1940, to require the governing body of any county or any incorporated municipality to approve or disallow statement of traveling expenses of any officer or employee of such county or municipality within thirty days after presentment.

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940 by requiring the Judge of Probate to file certified copies of his order of incorporation in certain places and providing for a fee for such services.

S. 177. To amend subsection I of Section 204 of Title 26, Code of Alabama 1940, as last amended, so as to provide for the transfer of unemployment experience to successors of segregable portions of a business upon written application within a prescribed time limit.

S. 179. To amend Section 247, Title 26, Code of Alabama 1940, as amended, the same pertaining to protection against self-incrimination.

S. 180. To amend subsection E(1) of Section 240, Title 26, Code of Alabama 1940, as amended, the same pertaining to proceedings to enforce the collection of delinquent unemployment contributions or taxes.

S. 181. To amend subsection C of Section 240, Title 26, Code of Alabama 1940, as last amended, so as to permit the Director under certain circumstances to issue a corrected assessment.

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 748 (with amendments). Relating to state parks, memorials and historical sites; establishing the Tannehill Furnace and Foundry Commission as a state agency to acquire, renovate, maintain and exhibit the old Tannehill Furnace in the County of Tuscaloosa; and to establish, create, manage, control and operate a state memorial park for the exhibition of this old furnace and the processes of iron making and for other related purposes; prescribing the authority, powers, duties and functions of the commission and its members and officers; forbidding members of the commission or employees thereof to engage in certain dealings with the commission and prescribing penalties therefor; and making an appropriation.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 965. To amend Section 13 of Act No. 860, S. 408, Regular Session 1953 (Acts, 1953, p. 1152), which authorizes municipalities to create and establish municipal waterworks utility boards, so as to empower the municipality, by ordinance, to authorize any board created pursuant to said Act to make expenditures for new construction, additions, or replacements to the municipal waterworks utility system of no more than \$25,000.00 without the consent and approval of the governing body of the municipality.

H. 966. To amend Section 13 of Act No. 861, S. 409, Regular Session 1953 (Acts 1953, p. 1157), which authorizes municipalities to establish Municipal Gas Utility Boards, so as to empower the municipality, by ordinance, to authorize any board created pursuant to said Act to make expenditures for new construction, additions, or replacements to the municipal gas distribution system of no more than \$25,000.00 without the consent and approval of the governing body of the municipality.

H. 967. To amend Code of Alabama 1940, Title 18, Section 72, which relates to certain expenditures by municipal electric distribution systems, so as to authorize the council or other governing body of any municipality having created a municipal electrical utility board by ordinance pursuant to Chapter 4 of Title 18, Code of Alabama 1940, to authorize by ordinance expenditures by the board of up to \$25,000 for new construction, additions, or replacements to the distribution system without the consent and approval of the governing body of the municipality.

H. 998. To amend Section 301(10) C of Title 48 of the Code of Alabama, 1940 as Recompiled (Section 10C of the Alabama Motor Carrier Act of 1939) in order to specify that the Alabama Public Service Commission must hereafter make an express finding that the public convenience and necessity requires the specific authorization of charter authority to any common carrier by motor vehicle transporting passengers who is hereafter issued a certificate under the Alabama Motor Carrier Act and to provide for a definition of and to regulate charter authority which is incidental to certificates of public convenience and necessity previously issued by the Commission.

H. 1126. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

H. 1171. To prescribe the hours of work and holidays for state troopers, officers and members of the Alabama State Highway Patrol.

H. 1222. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 425. To authorize the distribution of certain handbills.

H. 724. To authorize the Alabama Public Service Commission to fix rates for advertising sold in telephone directories.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1238 (with substitute). To provide that all contracts of insurance or policies of insurance issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1306. To amend Code of Alabama 1940, Title 37, Section 557, which relates to the payment of municipal improvement assessments, in relation to the rate of interest to be charged when such assessments are paid in installments or are delinquent.

S. 580. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 715. To amend Sections 220, 221 and 224 of Title 52 of the Code of Alabama of 1940, which relate to capital outlay warrants issued by any County Board of Education or City Board of Education, so as to clarify the said sections and so as to revise the provisions thereof as to the maximum interest rate, the maximum net interest cost, and the amount of redemption premiums that are permitted with respect to such warrants.

S. 760. To create a state junior college board; to prescribe its duties, powers and authority; and to repeal conflicting laws.

S. 762. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

The above bill was read a second time at length as required by the Constitution.

S. 761. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950-51, v. 1, p. 585).

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

S. 681. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment by requiring persons engaging in such work to be licensed by the Commissioner of Agriculture and Industries and fixing the license fees; to prescribe the requirements for persons performing such work for compensation to be eligible for a license; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act and to prescribe his duties and authority in connection therewith; to require the filing of a surety bond or a liability insurance policy by persons performing such work together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement and penalty provisions for violations of this Act.

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related

industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts of 1953, p. 240); and to provide for the enforcement of this Act, and to fix the date on which said Act shall become effective.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 622. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

By Mr. Turner:

S. 339. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

By Mr. Gilmore et al:

S. 725. To make an appropriation to the University of Alabama Medical Center for the planning and initiation of the School of Community and Allied Health Resources.

S. 569. To provide for purchasing and furnishing state-owned textbooks for certain state institutions.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1035 (with amendment). To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1253. Relating to counties having a population of not less than 21,900 nor more than 22,300, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

H. 1290. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to provide for an expense allowance for certain officers to be paid from the general funds of the county; to repeal conflicting laws.

H. 1320. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

H. 1333. To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

H. 1335. To establish a barber commission in counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; to define its duties and powers; and to authorize the county governing body to furnish such commission office space, fixtures and clerical assistance; to fix and provide for payment of the compensation of the commissioners.

H. 1336. Relating to counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; providing further for the distribution of fines from convictions in certain cases of traffic violations.

H. 1343. Relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business for certain county officers.

H. 1345. Relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations.

H. 1346. Relating to counties having a population of not less than 25,400 and not more than 25,500 and establishing the procedure for the selection of a depository of the funds of the Board of Education of any county to which this act applies and fixing the compensation for the members of the County Board of Education in any county to which this act applies.

H. 1347. Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

H. 1348. Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

H. 1349. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

H. 1352. Relating to counties having a population of not less than 16,300 and not more than 17,300 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

H. 1353. Providing further for the construction, maintenance and repair of roads and bridges in Colbert County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Colbert County; providing for the transfer from the state highway department to the Colbert County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Colbert County roads and bridges; providing for the appointment of a county engineer; repealing Act No. 645, S. 593, Regular Session of 1965 (Acts 1965, p. 1164) and other conflicting laws; providing that this Act shall become effective only if approved at a referendum election in Colbert County.

H. 1358. To divide Houston County into four commissioners' districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

H. 1359. To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

H. 1360. Relating to Franklin County; to fix the compensation of members of the jury commission.

H. 1361. Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

H. 1362. Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

H. 1363. Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

H. 1364. Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

H. 1365. Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

H. 1366. Relating to Franklin County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

H. 1367. Relating to Franklin County; to regulate the compensation of jurors.

H. 1368. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

H. 1369. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

H. 1370. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

H. 1371. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

H. 1372. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

H. 1373. Relating to counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to fix the compensation of the chairman and each member of the board of equalization in such counties; to repeal conflicting laws.

H. 1374. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

H. 1375. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

H. 1401. Relating to counties having populations of not less than 21,800 nor more than 21,850, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

H. 1407. Relating to counties having populations of not less than 49,500 nor more than 50,500; providing further for law enforcement in such counties; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; providing for the use of such fund.

H. 1408. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in

certain courts of Russell County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

The above bill was read a second time at length as required by the Constitution.

H. 1419. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

H. 1420. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

H. 1425. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; and authorizing the county governing body of such counties to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and providing that the substance of the resolution or ordinance levying such tax shall be as prescribed in this act.

H. 1428. Relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to

provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supercede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of of such conflict as to all counties to which this act applies.

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

S. 721. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

S. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

S. 757. To amend Section 12 of Act No. 211, S. 107, Regular Session 1945 (Acts 1945, p. 330 at p. 334), an Act relating to the construction, maintenance and operation of public hospitals, health centers and related facilities, so as to provide for the leasing of such public hospitals, health centers and related facilities.

S. 767. Proposing an amendment to the Constitution of Alabama relating to Pickens County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

S. 779. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1380. To fix and provide for the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

H. 1381. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

H. 1382. To amend Section 4 of Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama 1959, Page 1376 et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, Page 1579, et seq., as amended).

H. 1383. To amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) entitled, "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

H. 1384. To fix and provide for the compensation or salary of the Assistant or Associate Judges of Probate in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

H. 1385. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which Act established a Pension System for officers and employees of Jefferson County.

H. 1386. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges.

H. 1387. To provide for the payment of expense allowances for county officers serving the positions of Deputy Tax Assessor, Deputy Tax Collector, Deputy Treasurer in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

H. 1388. To amend Section 10 of Act No. 556 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama, 1959, pages 1376, et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama 1951, page 1579, et seq., as amended).

H. 1390. To provide for the payment of expense allowances for county officers serving in the position of a member of the Board of Equalization and Adjustments in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

H. 1391. To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

H. 1393. To further amend Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 Et Seq.), which established a Pension and Retirement System for officers and employers of Jefferson County.

H. 1394. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of the salaries of said judges.

H. 1395. To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

H. 1396. To fix the compensation or salary of the Register of the Circuit Court in all Counties having a population of 600,000 or more according to the last or any succeeding Federal census and to provide for the payment thereof.

H. 1397. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

H. 1398. To amend Act No. 91, H. 63, First Extra Session 1964 (Act 1964, Page 124), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

H. 1399. To provide for the payment of expense allowance for county officers serving in the positions of Tax Assessor, Tax Collector, Treasurer, Probate Judge, and Members of the County Board of Regis-

trars in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

H. 1400. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

H. 1415. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the Supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such Supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; to provide that this Act shall become effective on the first day of October, 1970.

H. 1416. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

H. 1417. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

H. 1426. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1404. To amend Section 1 of Act Number 432, House Bill 937, Regular Session, 1961 Legislature of Alabama, as amended by Act Number 28, Senate Bill 101, Special Session, 1966, Legislature of Alabama; an act to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census.

H. 1405. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1243 (with amendment). Relating to counties having a population of not less than 110,000 nor more than 160,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1377. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1409. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

S. 816. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

S. 815. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 34. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Merrill:

H. 1429. Relating to credit unions: Amending Code of Alabama 1940, Title 28, Sections 291, 297 and 298, so as to provide for loan officers of credit committees, reserve funds and dividends of credit unions.

Judiciary.

By Messrs. Beck, Meade and Williams:

H. 1430. To create an additional judgeship for the Ninth Judicial Circuit of Alabama, and to provide for the appointment, election, compensation, powers, duties, and authority of such judge.

Local Legislation No. 1.

By Mr. Meade:

H. 1431. To further regulate the practice of optometry in the State of Alabama.

Judiciary.

By Messrs. Graham and Berryman (W):

H. 1432. To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having

populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum.

Local Legislation No. 1.

By Mr. Steagall:

H. 1433. To provide for operation of non-profit ambulance services by the municipalities in all counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Steagall:

H. 1434. Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Local Legislation No. 1.

By Mr. Burgreen (with notice and proof):

H. 1435. To amend the Act proposed at the 1969 Regular Session by H. B. 682, which Act creates and establishes the Limestone County Superior Court in lieu of the Limestone County Court, in order to provide for the creation of the office of Solicitor of the Limestone County Superior Court in lieu of the office of a deputy or county solicitor or a solicitor of the Limestone County Court.

Local Legislation No. 1.

Notice and Proof H. 1435:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend the Act proposed at the 1969 Regular Session by H. B. 682, which Act creates and establishes the Limestone County Superior Court in lieu of the Limestone County Court, in order to provide for the creation of the office of Solicitor of the Limestone County Superior Court in lieu of the office of a deputy or county solicitor or a solicitor of the Limestone County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of the Act proposed at the 1969 Regular Session by H. B. 682, which Act creates and establishes the Limestone County Superior Court in lieu of the Limestone County Court, is hereby amended to read as follows:

"Section 8. (a) No prosecution shall be commenced in the court except by transfer from the circuit court of Limestone County or upon sworn complaint made to either the judge, clerk or solicitor of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe

that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictment. The clerk shall keep a docket of all complaints made or warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trail of the accused. (b) An amendment of the sworn complaint or affidavit without the defendant's consent shall entitle the defendant to a continuance. (c) There is created the office of the Solicitor of the Limestone County Superior Court in lieu of a deputy solicitor or a county solicitor or the solicitor of the Limestone County Court, who shall receive a salary of fifty-four hundred (\$5400) Dollars per annum, payable in equal monthly installments out of the general fund of the county as the salaries of county employees are paid, and all solicitor's fees taxed in the courts of Limestone County shall be paid into the general fund of said county. The Honorable T. Schram Woodroof, the present solicitor of the Limestone County Court shall hold said office until the first Monday after the second Tuesday in January, 1971 and until his successor shall be elected and qualified. A solicitor of the Limestone County Superior Court shall be elected at the general election to be held in 1970 and each four years thereafter, and the term of such solicitor shall be for four years commencing on the first Monday after the second Tuesday in January following his election, and until his successor is elected and qualified. Vacancies in the office of solicitor of said court shall be filled by the Governor, and such appointee shall hold said office for the unexpired term. In the event the solicitor of said court is absent or disqualified, the judge, shall appoint a special prosecutor who shall be paid twenty-five (\$25.00) Dollars for each day, or fraction thereof, that he is called upon to serve, out of the general fund of the county. The solicitor of the Limestone County Superior Court shall be clothed with all the powers and shall be charged with all the duties which have been heretofore or may be hereafter granted to or imposed upon deputy solicitors, and shall, when requested by the judge of any court of said county possessing juvenile jurisdiction, attend such sessions of the said court to represent the interest of the State of Alabama, and shall prosecute for the State all criminal cases commenced in the Limestone County Superior Court and shall prepare any and all complaints, affidavits or other pleadings in which the State is a party."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Morgan B. Thompson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Athens News Courier, Inc., a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1969.

MORGAN B. THOMPSON.

Sworn to and subscribed before me August 7, 1969.

LOLA L. ORR,
Notary Public.

By Mr. Burgess:

H. 1436. To amend further Code of Alabama, 1940, Title 51, Section 613, as amended, in relation to the license tax payable on certain vending machines.

Business and Labor.

By Messrs. McDonald, Starnes and Drake:

H. 1437. To amend Act No. 160, S. 338 of the Regular Session, 1965 (Acts, Regular Session 1965, p. 228), which relates to director's fees which may be paid to members of the board of directors of certain gas districts.

Local Government.

By Messrs. Mays, Cameron, Foshee, Brannan, Owen (Baldwin), McElhaney, Jackson (F), McCorquodale, Young, Owens (W), Tuck, Robertson, Agee, Melton, Turnham, Ellis, Harris, Garrett, Blanton, Brassell, Lybrand, Smith, Lemley, Steagall, Stembridge, Hobbie, Shumate, Manley, Cook (Jefferson), House, Culver, Merrill, Hardin, Cook (Coffee), Graham, Berryman (W), Snell Bassett, Fine, Holladay and Jackson (T):

H. 1438. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

Judiciary.

By Mr. Turnham:

H. 1439. Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

Judiciary.

By Mr. Collier:

H. 1440. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax collectors serving when the basis of compensation of such officers changed from fee to salary.

Local Legislation No. 1.

By Mr. Collier:

H. 1441. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax assessors serving when the basis of compensation of such officers changed from fee to salary.

Local Legislation No. 1.

By Mr. Tuck (with notice and proof):

H. 1442. To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1442:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court, is authorized and empowered to take affidavits and issue warrants of arrest in misdemeanor and felony cases.

Section 2. The clerk shall receive a fee of \$1.00 for each writ of arrest, to be taxed and collected as other costs are taxed and collected.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 66. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, 1969, July 24, July 31, and August 7, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me 8th day of August, 1969.

ROBERT H. KIRKSEY,
Judge of Probate.

By Mr. Tuck (with notice and proof):

H. 1443. To fix the compensation of the deputy sheriffs of Pickens County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1443:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of the deputy sheriffs of Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Pickens County, Alabama, the chief deputy sheriff shall be paid an annual salary of not more than \$6,000.00, and every other deputy sheriff whose salary is payable from the county treasury according to the law shall be entitled to an annual salary of not more than \$5,400.00. The exact amount of each of such salaries shall be fixed by its passage and approval by the county governing body and shall be paid in equal monthly installments from the county treasury.

Section 2 Act No. 284, H. 657, Regular Session 1947 (Local Acts 1947, p. 217), an act relating to payment of the compensation of a deputy sheriff of Pickens County, as amended, and all other laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 3, July 10, and July 17, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me 8th day of August, 1969.

ROBERT H. KIRKSEY,
Judge of Probate.

By Messrs. Tuck, Manley, Stubbs and Pruitt:

H. 1444. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

Education.

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 1445. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Local Legislation No. 1.

Notice and Proof H. 1445:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Phil Campbell in Franklin County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the town all territory now within such corporate limits and also certain other additional and adjacent territory, as follows:

Section 16, 17, 20 and 21, Township 8 South, Range 11 West, Franklin County, Alabama and, The South East one-fourth ($\frac{1}{4}$) of Section 7, the South one-half ($\frac{1}{2}$) of Section 8, the South one-half ($\frac{1}{2}$) of Section 9, the Southwest one-quarter ($\frac{1}{4}$) of Section 10, the West one-half of section 15, the West one-half ($\frac{1}{2}$) of Section 22, the Northwest one-quarter ($\frac{1}{4}$) of Section 27, the North one-half ($\frac{1}{2}$) of Section 28, the North one-half ($\frac{1}{2}$) of Section 29, the Northeast one-quarter ($\frac{1}{4}$) of Section 30, the East one-half ($\frac{1}{2}$) of Section 19, the East one-half ($\frac{1}{2}$) of Section 18, all of the above named sections and their parts situated being and lying in Township 8 South, Range 11 West, situated being and lying in Franklin County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

CLAUDE E. SPARKS.

Sworn to and subscribed before me July 17, 1969.

MAE G. STREIT,
Notary Public.

By Mr. Blanton:

H. 1446. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Foshee and Jackson (F):

H. 1447. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

State Administration.

By Mr. Fine (with notice and proof):

H. 1448. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Local Legislation No. 1.

Notice and Proof H. 1448:

STATE OF ALABAMA,
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette in Fayette County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Fayette in Fayette County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, certain land lying and being in Fayette County and more particularly described as follows:

In Township 15, Range 12: The North one-half of the North one-half of Section 29; the East one-half of the East one-half of Section 30; the West one-half of the East one-half and the East one-half of the West one-half of Section 32; and

In Township 16, Range 12; The West one-half of the East one-half and the East one-half of the West one-half of Section 5; and the West one-half of the Northeast Quarter of the Northwest Quarter of Section 8.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

JACK BLACK,
Publisher.

Sworn to and subscribed before me August 7, 1969.

ELOISE F. CHOMLEY.

By Mr. Williams:

H. 1449. Relating to counties having a population of not less than 36,600, nor more than 37,600 according to the last Federal Decennial Census, and providing for the taxing of additional court cost in misdemeanors.

Local Legislation No. 1.

By Mr. Williams (with notice and proof):

H. 1450. To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

Local Legislation No. 1.

Notice and Proof H. 1450:

TO BE ENTITLED
AN ACT

To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the City of Scottsboro, Jackson County, Alabama, are hereby altered and rearranged to the extent, but only to the extent, that there is hereby excluded from the present corporate limits of said City of Scottsboro the following described territory, to-wit:

The North half of the North half of the Northeast quarter of Section 10, Township 5 South, Range 5 East, Jackson County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel-Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1969.

FRED J. BUCHHEIT

Sworn to and subscribed before me August 11, 1969.

EVELYN TUBBS,
Notary Public.

My comission expires 12 Nov., 1970.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 1451. Relating to Houston County, providing for the establishment of a consolidated and unified system for assesment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 1451:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. After September 30, 1973, there shall be a county revenue commissioner in Houston County. A commissioner shall be elected at the general election in 1972, and at the general election every six years thereafter, who shall serve for a term of six years from the thirtieth day of September next after his election, and until his successor is elected and has qualified.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for taxation, the collection of taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes.

Section 3. Subject to the approval of the court of county commissioners or other like county governing body, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the court of county commissioners or like governing body of the county, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the court of county commissioners or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The court of county commissioners or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions, and other allowances which the tax assessor, the tax collector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$10,500, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of tax assessor and tax collector of Houston County are hereby abolished effective the first day of October 1973.

Section 8. It is the purpose of this Act to promote the public convenience in Houston County by consolidating the offices of tax assessor and tax collector into one office.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 16, 23, 30, Aug. 6, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is

published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 11th day of August, 1969.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Williams (with notice and proof):

H. 1452. To alter, rearrange and extend the boundary lines of the Town of Stevenson, Jackson County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1452:

LEGAL NOTICE

STATE OF ALABAMA
JACKSON COUNTY

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, and substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARY LINES OF THE TOWN OF STEVENSON, JACKSON COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID TOWN ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS, AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THERETO, IN JACKSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the Town of Stevenson, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said Town of Stevenson shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

From the point of beginning at the Southwest corner of Section 20, Township 2 South, Range 8 East, run in a northeasterly direction to the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 20; thence run in a northeasterly direction to the Northeast corner of the South half of Section 8, Township 2 South, Range 8 East; thence run North along the East lines of Sections 8 and 5, Township 2 South, Range 8 East and to the Northwest corner of the South half of Section 4, Township 2 South, Range 8 East; thence westerly along a line and to the Northwest corner of the South half of Section 2, Township 2 South, Range 7 East; thence South with the West line of said Section 2

and to its point of intersection with the TVA boundary line; thence with the TVA boundary line as it meanders in a general easterly and southerly direction and to the point where the TVA boundary line intersects the South boundary of Section 19, Township 2 South, Range 8 East; thence East along the South boundary of said Section 19 and to the point of beginning at the Southwest corner of Section 20, Township 2 South, Range 8 East.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the THE SENTINEL AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, Aug. 3, and Aug. 10, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Aug. 11, 1969.

EVELYN TUBBS,
Notary Public.

My commission expires 12 Nov., 1970.

By Mr. Cameron:

H. 1453. To provide for the payment by the Alabama alcoholic beverage control board of a fee or reward for furnishing evidence leading to a conviction for unlawfully distilling, manufacturing or making prohibited liquors or beverages; to establish a fund from which such fee or reward shall be payable; to repeal conflicting laws.

Judiciary.

By Messrs. Cameron, Harris, Hobbie and McElhaney:

H. 1454. To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act.

Local Legislation No. 1.

By Mr. Jackson (T):

H. 1455. To provide for appointment of a guardian ad litem for a minor, unwed mother for purposes of termination of her parental rights.

Judiciary.

By Messrs. Bowers, Ellis, Perloff, Downing, Collins (C), Lyons, Money, Jackson (T), Gafford, Cherner, Yeilding, Kilgore, Crane, Wood, Sessions, Gloor, Owens (W. E.), Brown, Adwell, Weeks, Robertson, Culver, Bank, Meeks, Waggoner, Watkins, Dill and Cook (Jefferson):

H. 1456. To amend Sections 204, 205, and 209, Title 52, Code of Alabama of 1940 and to repeal Sections 210, 211, 212, 213, 214 and 215 of said Title 52, Code of Alabama of 1940.

Judiciary.

By Messrs. Waggoner, Meeks, Dill, Yeilding, Holman, Weeks, Gloor, Ellis, Money, Cook (Jefferson) and Bowers (with notice and proof):

H. 1457. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Local Legislation No. 2.

Notice and Proof H. 1457:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1969 FOR ADOPTION OF AN ACT WHICH WOULD PROVIDE AS FOLLOWS:

AN ACT

To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the

Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); to increase the Law Library Tax in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, from fifty cents (\$.50) to one dollar (\$1.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20), said increases to be effective on the day of the second calendar month next following its passage by the legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, be and the same is hereby amended to read as follows:

In each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as costs the sum of two dollars (\$2.00), and in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Bessemer Division of the Circuit Court of Jefferson County, Alabama, there shall be taxed as costs the sum of one dollar (\$1.00). In each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division of said county, there shall be taxed as costs the sum of one dollar (\$1.00), and in each such case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of fifty cents (\$.50). In each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) there shall be taxed as costs the sum of fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, there shall be taxed as costs the sum of twenty cents (\$.20), and in each civil case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of ten cents (\$.10). The costs taxed in pursuance of this section shall be collected as other costs in such cases are collected, and when collected by the clerks of such courts (including registers in chancery) shall be by them paid to the treasurer of Jefferson County. The sums paid to the county treasurer by the clerk and deputy register of the Circuit Court at Bessemer, Alabama, and other clerks of courts in the territorial jurisdiction of the Circuit Court at Bessemer, or which are collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the

Circuit Court at Bessemer shall be kept in a separate fund designated as Jefferson County Law Library Fund (Bessemer), and shall be expended by the senior circuit judge, in point of service, sitting at Bessemer for the maintenance of a law library in the Court House at Bessemer. The sums paid to the county treasurer by the clerk and register of the Circuit Court at Birmingham and other clerks in the territorial jurisdiction of the Circuit Court at Birmingham, or collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the Circuit Court at Birmingham, shall be kept by the treasurer in another separate fund designated as Jefferson County Law Library Fund (Birmingham), and shall be expended by a circuit judge of the Circuit Court at Birmingham, selected by the circuit judges of the Birmingham Division, for maintaining a law library in the Court House at Birmingham. Said judges shall respectively draw warrants on the treasurer for expenditures by them, indicating on the warrants the fund against which the warrants are drawn. The said items of cost above referred to shall be designated as law library fee, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of costs. On or before the tenth day of each month, the clerks of the respective courts (including registers in chancery) shall pay to the county Treasurer all amounts collected for said law library fees previous to the first day of the month. All books or other property purchased with the funds produced by this section shall be the property of Jefferson County. The management of the law library in the court house at Bessemer is vested in the senior circuit judge, in point of service, sitting at Bessemer; and the management of the law library in the court house at Birmingham is vested in a circuit judge of the Birmingham Division, to be selected by the circuit judges of the Birmingham Division.

Section 2. This Act shall take effect on the first day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 26, May 3, 10, 17, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 24th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Dill, Adwell, Meeks, House, Sessions, Yeilding, Cherner, Jackson (T), Holman, Kilgore, Weeks and Gloor:

H. 1458. To provide compensatory leave for police officers of cities having a population of 300,000 or more according to the last or any succeeding decennial federal census for time spent in required attendance

at court as witnesses in any criminal case or in any civil case resulting from a matter investigated by such officer or in which such cities are involved or interested.

Local Legislation No. 2.

By Messrs. House, Waggoner, Weeks, Yeilding, Sessions, Holman, Meeks, Watkins, Dill, Kilgore, Cook (Jefferson) and Money:

H. 1459. An Act to allow Boards of Education in each city of the State of Alabama having a population of not less than 32,500 nor more than 33,500 according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district.

Local Legislation No. 2.

By Messrs. Holman, Cook (Jefferson), Meeks, Yeilding, Dill, Kilgore, Weeks, Ellis, Money, House, Cherner, Gloor, Jackson (T) and Bowers:

H. 1460. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

Local Legislation No. 2.

By Messrs. Adwell, Holman, Meeks, Kilgore, Weeks, Cook (Jefferson), Money, House, Ellis, Waggoner and Gloor:

H. 1461. To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

Local Legislation No. 2.

By Messrs. Holman, Meeks, Yeilding, Dill, Cherner, Adwell, Weeks, Ellis, Gloor, Money, House and Waggoner (with notice and proof):

H. 1462. Relating to the Tenth Judicial Circuit, Bessemer Division; providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

Local Legislation No. 2.

Notice and Proof H. 1462:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Tenth Judicial Circuit, Bessemer Division; providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The Deputy District Attorney of the Bessemer Division, Tenth Judicial Circuit, who is elected by the people, shall be authorized to appoint one additional Assistant Deputy District Attorney in addition to the one appointed Assistant Deputy District Attorney in such Circuit. The second Assistant Deputy District Attorney appointed pursuant to this Act, who shall be a resident and qualified elector of the County comprising the Circuit, qualified to practice law in the Courts of this State, shall serve at the pleasure of the appointing Deputy District Attorney. Such Assistant Deputy District Attorney shall be a State officer and shall perform such duties as are performed by the other Assistant Deputy District Attorney in the Circuit or such duties as the Deputy District Attorney shall require.

Section 2. The second Assistant Deputy District Attorney shall be paid an annual salary of \$9,000.00 paid by the State as the salaries of other State officers are paid, and in addition shall be paid out of the general fund of the County comprising the Circuit, an annual salary of \$3,500.00, payable in equal monthly installments.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: March 7, 14, 21, 28, 1969.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 28th day of March, 1969.

JOHN E. SMITH,
Notary Public.

By Messrs. Dill, Meeks, Sessions, Yeilding, Cherner, Holman, Kilgore, Weeks, Ellis, Money and Waggoner:

H. 1463. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the

county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Dill, Adwell, Meeks, Waggoner, Sessions, Holman, Kilgore, Weeks, Money, Jackson (T), Watkins and Bowers:

H. 1464. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the additional Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court, or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Local Legislation No. 2.

By Messrs. Adwell, Holman, Meeks, Yeilding, Dill, Sessions, Jackson (T), Kilgore, Weeks, House and Ellis:

H. 1465. To further amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system", so as to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city.

Local Legislation No. 2.

By Messrs. Yeilding, Sessions, Meeks, Dill, Cherner, Holman, Kilgore, Weeks, Gloor, Money and Bowers:

H. 1466. To create a Local Government Commission in each county in the State having a population of 600,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Local Legislation No. 2.

By Messrs. Pruitt and Manley:

H. 1467. To combine the office of Register of the Circuit Court, in equity, the office of Clerk of the Circuit Court, and the Clerk of the County Court in all counties in this state with a population of more than 20,000 and less than 21,000, according to the last Federal Census or any subsequent census; to fix his method of appointment or election; to fix his salary or compensation for holding said office, and to provide for his bond to be paid from the general funds of the county.

Local Legislation No. 1.

By Messrs. Pruitt and Manley:

H. 1468. To regulate the offices of Tax Assessor and Tax Collector in counties of more than 20,000 population, according to the last Federal Census or any subsequent Federal Census, and less than 21,000 population, according to the last Federal Census or any subsequent Federal Census; to fix the compensation of the Tax Assessors and Tax Collectors of said counties, and to provide for help and assistance and other necessary expense that is necessary to the conduct of said offices; to provide that the Tax Assessor and Tax Collector shall pay into the county Treasury all costs, fees and commissions authorized by law to be collected by the Tax Collector and Tax Assessor; to provide for help and assistance and other necessary expenses to conduct said offices; to provide for the bonds of the clerical assistants and said Tax Collector and Tax Assessor to be paid by the county treasurer from the general funds of the county treasury.

Local Legislation No. 1.

By Messrs. Pruitt and Manley:

H. 1469. To provide that the Probate Courts in all counties of this state which now have or may hereafter have a population of over 20,000 and less than 21,000, according to the last or any subsequent federal census, shall have general equity jurisdiction concurrent with that of the Circuit Courts, in equity, of this state, in the administering of the estates of deceased persons, minors and insane persons, including testamentary trust estates; defining the powers and qualifications of the judge's of said courts; to regulate the office of Judge of Probate in said counties as aforesaid; to fix the compensation of the Judge of Probate of said counties, and to provide for help and assistance and other necessary expenses to the conduct of the office of Judge of Probate; to provide that the Judge of Probate of said counties shall pay into the county treasury all costs, charges of the court, fees and commissions authorized by law to be collected by the Judge of Probate, and to provide for the bonds of the Judge of Probate and his clerks to be paid by the county treasurer from the general funds of the county treasury.

Local Legislation No. 1.

By Messrs. Pruitt and Manley:

H. 1470. To regulate the office of Sheriff in counties of more than 20,000 population and less than 21,000 population, according to the last Federal Census or any subsequent Federal Census; to fix the compensation of the Sheriff of said counties, and to provide for help and assistance and other necessary expense necessary to the conduct of the office of Sheriff; to provide that the Sheriff shall pay into the County Treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of his deputies in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and

to provide for the bond for the Sheriff and his deputies to be paid by the county treasurer from the general funds of the county treasury; to fix the qualifications of the Sheriff and his deputies in said counties.

Local Legislation No. 1.

By Messrs. Pruitt and Manley:

H. 1471. To combine the office of the Clerk of the Board of County Commissioners, or like governing bodies, with the office of County Treasurer in all counties with a population of more than 20,000 and less than 21,000, according to the last Federal Census or any subsequent census; to fix the compensation that the holder of said office is to receive; to fix his qualifications for holding said office, and to provide for his bond to be paid from the general funds of the county.

Local Legislation No. 1.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1472. Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Local Legislation No. 1.

Notice and Proof H. 1472:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS—As used in this Act, unless the context otherwise requires, the term:

(a) "Barber" shall mean any person licensed under the provisions of this Act to do the work of a barber.

(b) "Barber shop trade" includes shaving and trimming the beard, cutting and dressing the hair, massaging the face and head, giving facial and scalp massage or application of oils, creams, lotions, or other preparations, either by hand or by mechanical appliances, singeing, shampooing or dyeing the hair or applying hair tonic, applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck, and rendering kindred, personal services for compensation, provided, however, that such practices when done for the treatment of physical or mental ailments or diseases shall not constitute barbering.

(c) "Barber Shop" means without limitation any establishment having as its primary purpose the rendering for compensation of the several services constituting the barber shop trade.

(d) "Barber School" means without limitation any establishment rendering for compensation the several services constituting the barber shop trade, but having for its primary purpose the teaching, for tuition fees, of the theories and practices of such services.

(e) "Students" shall mean any person attending barber school for the purpose of learning the theories and practice of the barber shop trade and who receive no compensation for so doing.

(f) "Apprentice" shall mean any person practicing in a barber or haircutting shop to acquire the skill of a barber or haircutter after having completed the requirements of a student, under the provisions of this Act.

(g) "Teacher" or "Instructor" shall mean any person who instructs or attempts to instruct another in the science, arts and skills of a barber or haircutter.

(h) "Commission" or "The commission" or "barbers' commission" shall mean the board of commissioners created by this Act.

(k) In this Act, words used in the masculine gender include the feminine and neuter genders, and words used in the neuter gender include the masculine and feminine genders.

Section 2. COUNTY BOARD OF BARBER COMMISSIONERS

There is hereby created in Marengo County a barbers' commission. The Governor shall appoint three person, each of whom, immediately prior to the date of his appointment has been a resident of such county for the past three years, and who has had at least five years experience as a barber, one member to be appointed for a term of one year, one member to be appointed for a term of two years, and one member to be appointed for a term of three years. Thereafter the term of any member appointed and qualified to succeed the members of the barbers' commission and such county first appointed shall be for three years and until their successors are appointed and qualified. Vacancies shall be filled in the following manner: The commission shall, sixty (60) days prior to the expiration of the term of any commissioner of the barbers' commission for such county give notice in writing to the licensed barbers of the county that there will be a vacancy on the date of the expiration of the term of the commissioner whose term is about to expire; or if a vacancy be caused for any reason other than the expiration of the term, the barbers' commission shall within thirty (30) days after such vacancy occurs, give notice to the licensed barbers of such county of the existence of such vacancy. In this event said barbers will be requested to nominate three barbers to fill each vacancy thus occasioned; and to that end a ballot shall be prepared and enclosed along with the letter notifying the barbers of the vacancy or vacancies; the said ballot reading as follows: "I hereby nominate for appointment by the Governor of the State of Alabama to the Board of Barber Commissioners for Marengo County, the following named persons: _____"

The ballots shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded the licensed barber entitled to vote. In addition to the ballot, the barbers' commission shall forward the licensed barber an envelope addressed to the Barbers' Commission for Marengo County and properly stamped with United States postage. When the ballots are returned they shall be opened on a day designated in the notification, in the presence of the barbers' commission then serving, and the ballots shall be counted and the names of the three barbers who shall receive the greatest number of votes shall be selected as the three nominees. The barbers' commission shall then certify to the Governor of the State of Alabama the

names of the three barbers receiving the highest number of votes and the Governor shall appoint one of those three persons thus designated to fill the vacancy. If more than one vacancy exists at any time, there shall be nominated in the manner above designated and certified to the Governor three nominees for each such vacancy so that if there be one vacancy there shall be three nominees, if there be two vacancies there shall be six nominees, and if there be three vacancies there shall be nine nominees, certified to the Governor, who shall select for appointment one nominee from each group thus nominated. The commission, immediately upon the qualification of the member appointed each year, shall organize by selecting from its members a chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Any two of the three commissioners herein provided for shall constitute a quorum, and as such shall have full power and authority to act in the discharge of their official duties and responsibilities. The members of the commission shall receive as full compensation for each day actually spent in the work of said commission the sum of Twenty Dollars (\$20.00) per day; and his actual and necessary expenses thereby incurred, not to exceed \$10.00 per day. The commission shall appoint at its pleasure a secretary-treasurer to aid in the discharge of the duties imposed by the provisions of this Act; provided however, that no person hired hereunder shall be related by blood or marriage to any member of the commission. The individual so appointed shall be required to enter into a bond to be approved by the commission in the sum of not less than ten thousand dollars (\$10,000.00), conditioned to pay any shortage or loss of funds on hand by said secretary-treasurer during his term of office, or at the time that he is holding office. Said commissioner shall outline the duties and fix the compensation of the secretary-treasurer. The commission shall obtain such office space, furnishings, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act. The commission shall adopt a seal with such design engraved thereon as it may prescribe, by which it shall authenticate its proceedings. In addition thereto, the commission is empowered to make reasonable inspection of the barbers and the barber shops and barber schools and barber colleges of Marengo County to the end that proper methods of sanitation and sterilization are observed. Copies of all records and papers in the office of the barbers' commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. All the records kept in the office of the commission and under authority of this Act shall be open to public inspection under such rules and regulations as shall be prescribed by the commission under the provisions of this Act shall be paid into the treasurer of the commission; said funds shall be used and kept exclusively in the hands of the treasurer of this commission, and shall be used for purposes not inconsistent with this Act, under the direction of the commission. Funds may be disbursed by order of the commission on a check being drawn by the treasurer upon such funds, as may be on hand, and approved by the Chairman of the commission for the purpose of paying all of the expenses incurred by the commission, including the compensation of members of the commission and its employees, provided the total expenses for every purpose incurred shall not exceed total fees and charges collected and paid in to the treasurer.

Section 3. PROMULGATION OF RULES AND REGULATIONS

(a) The commission shall have authority to make reasonable rules for the administration of the provisions of this Act. Copies of all rules adopted by said commission shall be furnished to each barber and each barber school or college.

(b) No rule may be adopted or amended at the same meeting at which it is proposed.

(c) All rules adopted hereunder shall have the same force and effect of law unless set aside by a court of competent jurisdiction or repealed by said commission.

Section 4. APPRENTICE QUALIFICATIONS—

(a) Any person shall be qualified to receive a license as an apprentice barber provided:

1. He is at least eighteen (18) years of age and is of good moral character and temperate habits; and

2. He has graduated from an approved school or college of barbering, which school has been approved or licensed under the provisions of this Act; and

3. He passes satisfactorily an examination conducted by the barbers' commission to determine his fitness to practice as an apprentice; and

4. He has a 12th grade education or equivalent thereof; and

5. He has obtained a medical certificate as required by this Act; and

6. He has paid the required fee specified by this Act.

(b) An applicant for a license who fails to satisfactorily complete an examination conducted by the commission may apply for re-examination at any future meeting of the commission. Upon making application therefor and payment of the required fee, said applicant shall be permitted to again take said examination.

(c) No apprentice may independently practice barbering, but he may, as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a licensed barber.

Section 5. BARBER QUALIFICATIONS—

Any person having made application for a barber license shall be qualified to receive such license to practice as a barber provided:

(a) He is qualified under the provisions of Section 4 of this Act; and

(b) He has practiced as an apprentice barber for a period of twenty-four (24) months on a full time basis under the immediate personal supervision of a licensed barber; and

(c) He has passed satisfactorily an examination conducted by the commission to determine his fitness to practice barbering; and

(d) He has paid the required fee specified in this Act.

Section 6. APPLICATION OF NON-RESIDENT BARBERS OR APPRENTICES—

(a) Any person who is at least eighteen years of age and of good moral character and temperate habits, who has a license as a practicing barber from another state or county having substantially the same requirements for licensing barbers as are required by this Act or who prove by sworn affidavits that he has practiced as a barber in another state for at least five years prior to making application in such county, shall, upon the payment of the required fee, be granted permission to take an examination to determine his fitness to receive a license to practice as a barber. Should he fail to pass the examination, he may, within three months, file a new application. In no event shall he be permitted to practice barbering until such time as he has passed an

examination and complied with all applicable provisions of this Act, and has received a license as a barber. Application shall be accompanied with two (a) photographs of applicant, also the recommendation of at least three barbers doing business in said County of Marengo not related to the applicant, certifying that the applicant is of good moral character and is qualified to practice the trade of barbering and recommending that a license be granted him.

(b) Any apprentice barber who is at least eighteen (18) years of age and of good moral character and temperate habits and has a license as an apprentice in another state or county which has substantially the same requirements for licensing an apprentice as is provided in this Act, or who can prove by sworn affidavits that he has practiced in another county or state for at least six months prior to making application in this state, shall upon the payment of the required fee, be granted permission to take an examination to determine his fitness to receive a license as an apprentice. Should he pass the required examination, and have complied with all other applicable provisions of this Act, a license as an apprentice shall be issued to him. In this event, the time spent in such other state or county as an apprentice shall be credited upon the period of apprenticeship required by this Act, toward qualifying for the examination to determine his fitness to receive a license as a barber.

Section 7. HOW TO MAKE APPLICATION FOR LICENSE

Any person desiring to practice barbering, or desiring to practice as an apprentice barber, shall file with the secretary-treasurer of the commission a written application, under oath, on a form prescribed by the commission, together with two photographs of the applicant, 2 x 3 inches in size, and satisfactory proof that applicant is of good moral character, and also furnish the commission with certificate issued and furnished by the commission, from a practicing physician of such county showing that applicant is free from contagious, infectious or communicable disease, including gonorrhea, syphilis and tuberculosis.

Section 8. EXAMINATIONS

(a) The commission shall conduct regular examinations for applicants for licenses to practice as barbers and as apprentices at least once each three months, at such times and places as the commission shall determine. Such examination shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools and colleges of barbering approved by the commission. Licenses to barbers or apprentices shall be issued by the commission to any applicant who shall have passed the examination therefor, by making an average grade of not less than 70% and who shall possess the other qualifications required by this Act.

(b) Whenever the commission shall be requested to give a special examination, the applicants taking such examination shall pay an additional fee of \$25.00.

Section 9. BARBER SHOP OPERATOR QUALIFICATIONS—

A person shall be qualified to receive a barber shop operator's license provided:

(a) He holds a barber's license; and

(b) He is in compliance with the other applicable provisions of this Act.

Section 10. PERSONS ENTITLED TO LICENSE WITHOUT INITIAL EXAMINATION—

Any present resident of Marengo County who holds a license as a barber or apprentice or any barber school or college in operation at the time of the passage of this Act shall automatically be granted a license without an examination by making application to the commission on or before the 1st day of December, 1969, and upon paying the annual renewal fee specified here in for barbers, apprentices, and barber schools or colleges, provided that such applicant has been issued a medical certificate as required herein. It is further provided that any person licensed under the provisions of this Act, who subsequent to such licensing is unable to obtain the physician's certificate hereinbefore provided for, shall be entitled to an "inactive" license upon compliance with all the other provisions of this Act, and shall be again fully licensed without additional examination, at such time thereafter as he obtains and files the physician's certificate hereabove required.

Section 11. PERSONS, FIRMS OR CORPORATIONS TO WHICH THIS ACT IS NOT APPLICABLE—

(a) Persons licensed by law of this State to practice medicine, surgery, osteopathy, or chiropractic.

(B) Commissioned medical or surgical officers of the United States Army, Air Force, Navy or Marine hospital service.

(c) Registered nurses.

(d) Hairdressers and beauty culturists, insofar as their usual and ordinary vocation and profession is concerned, including light hair trimming incidental to waving of all kinds.

(e) Undertakers or morticians.

(f) All barber schools and colleges and instructors employed therein by the state or county department of education.

Section 12. DISPLAY OF CERTIFICATE—

Every holder of a license shall display it in a conspicuous place in his place of business.

Section 13. FEES—

The board of barber commissioners shall charge and collect the following fees:

(a) The original as well as any subsequent examination fee for barber or apprentice shall be \$25.00 per examination. Any such fee shall also include the cost of the issuance of any such barber or apprentice license which may thereafter be issued; and \$10.00 thereof shall be refunded if such person fails to pass the examination.

(b) For the annual renewal of a barber or apprentice license, a fee of \$10.00 shall be charged, provided, however, that his fee shall be waived for any barber who has been sick and out of work for as much as one year next preceding the date such fee shall become due, a physician's certificate and affidavit of such barber being submitted as proof of such facts.

(c) For restoration of an expired barber or apprentice license, a fee of \$15.00 shall be charged. Upon the payment of such fee, such license shall be restored without examination provided application is made therefor, without a period of one year from the date of the expiration of any such license.

(d) For the application and issuance of a new barber shop operator's license a fee of \$50.00 shall be charged.

(e) For the annual renewal of a barber shop operating license, a fee of \$10.00 shall be charged.

(f) For the application and examination of teacher applicant and issuance of a teaching certificate or license a fee of \$50.00 shall be charged.

(g) For the annual renewal of a teacher's certificate or license a fee of \$25.00 shall be charged.

(h) All licenses required under this Act shall be renewed annually on or before January 1.

(i) A duplicate license will be issued upon the filing of a statement covering the loss of such license, verified by the oath of the applicant, and accompanied by the payment of a fee of \$10.00 for the issuance of same. Each duplicate license shall have the word "Duplicate" stamped across the front thereof and will bear the same number as the originally issued license.

Section 14. EXEMPTIONS PERTAINING TO PERSONS IN ARMED FORCES—

Any person who, after the passage of this Act, and approval by the Governor, or upon its otherwise becoming a law, shall enter the active military or naval service of the United States, or of this State and who, at the time of such entry, was the holder of a license as a barber, or apprentice, and which license was then in full force and effect, shall be granted a like license upon presentation to such board of barber commissioners of an honorable discharge from such military or naval service, dated not more than one year prior to the time of such presentation, and a medical certificate as required under the provisions of this Act, attesting that the person presenting it is free from any contagious or infectious or communicable disease, which certificate shall be dated not more than 30 days prior to the time of such presentation and provided further such person shall pay a fee of \$10.00 for the issuance of such license as required by this Act.

SECTION 15. GROUNDS FOR SUSPENSION, REVOCATION OR REFUSAL TO ISSUE A RENEWED LICENSE—

The commission is hereby vested with the power and authority to refuse to issue or renew as well as the power to suspend or revoke any license for any one or a combination of the following causes:

(a) Conviction of a felony.

(b) Malpractice or incompetency.

(c) When applicant barber or apprentice barber is, or becomes, afflicted with an infectious or communicable disease.

(d) Advertising by false or deceptive means.

(e) Advertising, practicing, or attempting to practice under another's trade name or under another's name.

(f) Habitual drunkenness or habitual addiction to use of morphine, cocaine, or other habit forming drugs.

(d) The violation of any of the sanitary regulations promulgated by either the barbers' commission or the Alabama state department of health for the regulation of barber shops and barber schools or colleges.

(h) Conviction of a violation of any city ordinance or county or state law pertaining to the regulations of barber shops or barber schools or colleges.

Section 16. HEARINGS—

No action in refusing to issue or renew or in suspending or revoking a license for any of the causes enumerated in the foregoing section shall be taken until the accused has been furnished with a statement of the specific charges against him and notice of the time and place of hearing thereof. The accused may be present at the hearing in person and may be represented by counsel if he so desires. Statement of the charges and notice thereof must be served personally upon such person, or mailed to his last known address at least ten (10) days prior to the hearing. If upon such hearing the commission finds the charges to be true, it may refuse to issue or renew a license or may revoke or suspend such license if the same has been issued.

It shall be the duty of the commission to subpoena witnesses other than character witnesses, for or against the accused upon written request and affidavit that their testimony is necessary, and the production of relevant books and papers may be also procured by subpoena.

Such hearing shall be ordered after not less than ten (10) days written notice to the parties at interest. The commission shall not be bound by the technical rules of evidence but shall seek diligently all of the information and evidence bearing on the merits of the case.

Within ten (10) days after the conclusion of the hearing, the commission shall render its decision in writing. Copies of the decision shall be delivered to all parties at interest.

The commission may require that testimony introduced at hearings be recorded by a court reporter, but same shall not be transcribed except upon further order.

Any person aggrieved by the decision or ruling of the commission, as provided for in the preceding Section, may appeal from such action to the circuit court of Marengo county within thirty (30) days after such final determination of the commission, by filing written notice thereof with the commission. Upon any such appeal a trial shall be de novo.

Section 17. MISCELLANEOUS PROVISIONS—

(a) Nothing contained in this Act shall be construed to prevent the department of health of the State of Alabama or any local board of health or other board or body, exercising the powers of such local boards, from enacting and enforcing ordinances, codes, rules and regulations pertaining to sanitation in barber shops, in excess of the provisions of this Act, for which authority they have been or may be granted by law.

(b) No owner or manager of a barber shop or barber college shall employ any person unless said person has on file an annual health certificate signed by a licensed practicing physician stating that said employee is free from any communicable or contagious disease or from a venereal disease.

Section 18. SEVERABILITY

The sections of this Act and the part of each section are hereby declared to be independent parts of sections, and the holding of any section or part thereof to be void, ineffective, or unconstitutional for any cause, shall not affect the other sections or parts thereof, and it is now declared that the other parts or sections would have been en-

acted regardless of any section or parts of sections which might be held unconstitutional, inoperative or ineffective.

Section 19. REPEALER—

All laws or parts of laws which conflict with this Act are hereby repealed.

Section 20. EFFECTIVE DATE OF ACT BECOMING LAW—

This Act shall take effect October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jim T. McKay, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1969.

JIM T. MCKAY.

Sworn to and subscribed before me August 11, 1969.

DOROTHY C. THOMPSON,
Notary Public.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1473. To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Local Legislation No. 1.

Notice and Prooof H. 1473:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Marengo County shall be entitled to receive compensation as follows:

(a) For the judge of probate, an annual salary of \$15,000;

- (b) For the sheriff, an annual salary of \$12,000;
- (c) For the tax assessor, an annual salary of \$12,000;
- (d) For the tax collector, an annual salary of \$12,000;

(e) For the clerk of the circuit court for the performance of the duties of his office as clerk an annual salary of \$8,400 and for the duties as register in chancery, an annual salary of \$3,600.

Such salaries shall be paid in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, sheriff, tax assessor, tax collector, circuit clerk and register in chancery, hereafter shall be collected and paid into the general fund of the county. However, the sheriff shall continue to procure and prepare the food for county prisoners, at no expense to the county, and shall be entitled to retain the allowances payable by the state for such purposes.

Section 3. The Board of Revenue of Marengo County shall provide the judge of probate, tax assessor, tax collector, circuit clerk and register with such clerical assistance, quarters, books, stationery, furniture, equipment, postage, travel expenses and such other conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistants and deputies as shall be authorized for his office, and they shall serve at the pleasure of the appointing authority.

The county governing body shall likewise provide the sheriff with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences as it may consider necessary for the proper and efficient operation of the sheriff's office, and shall furnish the sheriff and adequate number of automobiles or other motor vehicles, which shall be repaired, maintained, and serviced (including oil and gas, tires, battery, service, and lubrication necessary for their upkeep and operation) at the expense of the county. The sheriff shall have a chief deputy and two (2) additional deputies, whose compensation shall be paid by the county.

On or before August 15 of each year each officer shall file with the governing body of the county a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for operation of his office during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October each year, and the budget so adopted shall make such provisions with respect to the operation of each office as the county governing body may determine reasonable and proper.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective upon the approval of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in Marengo County, and the fees, commissions, percentages, allowances or salary of, and the method of compensating any officer of Marengo County;

and upon the approval of this act by a majority of the electors of Marengo County voting in a referendum to be held on the same day as the first statewide general, special or primary election that is held after the expiration of three months from final adjournment of the current session of the Legislature. The governing body of Marengo County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No.—, enacted by the Legislature in 1969, which changes the method of compensating certain officers of Marengo County from the fee basis to the salary basis, be adopted? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this act shall become applicable to each of the offices mentioned in Section 1 hereof upon the expiration of the term of office of the present incumbent of each of such offices provided that the amendment to the Constitution of Alabama herein mentioned is also adopted. If a majority of the votes cast in the election upon this act are "No," this act shall have no further effect. The results of the election, however, shall be certified by the probate judge of Marengo County to the secretary of state of Alabama, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jim T. McKay, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1969.

JIM T. McKAY.

Sworn to and subscribed before me August 11, 1969.

DOROTHY C. THOMPSON,
Notary Public.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1474. To enlarge the corporate limits of the City of Marion, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1474:

LEGAL NOTICE

THE STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

To enlarge the corporate limits of the City of Marion, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the following described property be and hereby is added to and made a part of the Corporate limits of the City of Marion, Perry County, Alabama, to-wit:-

The W½ of NE¼; S½ of NW¼ that lies East of the Southern Railroad Right of Way; E½ of SW¼ and the SE¼, all in Section 19, Township 19 North, Range 8 East; saving and excepting therefrom, that certain parcel or tract of land conveyed by Florence M. Warren and husband George B. Warren, to Floyd Cook, by deed dated April 25, 1969, and recorded in the Probate Office, Perry County, Alabama, in Deed Book 432 at Page 179.

Section 2. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and Aug. 7, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me August 11, 1969.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

By Messrs. Grainger, Laxson, Jones, McLain and Pennington:

H. 1475. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Local Legislation No. 4.

By Messrs. Jones, Laxson, Grainger, McLain and Pennington (with notice and proof):

H. 1476. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and reve-

nue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Local Legislation No. 4.

Notice and Proof H. 1476:

LEGAL NOTICE

STATE OF ALABAMA

MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading there-to or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Madison County and the governing body of the City of Huntsville are hereby authorized to declare by the adoption of appropriate resolution the need for the formation of a public corporation to carry out the provisions of this act. Upon the adoption of such resolution each such body shall appoint two persons and shall agree upon and appoint a fifth person, each of whom must be a duly qualified elector and property owner in Madison County, Alabama, who shall form the board of directors of such corporation and shall proceed to organize such corporation.

Section 2. The certificate of incorporation of the corporation shall state: the names of the persons forming the corporation, together with the residence of each thereof and a statement that each of them is a duly qualified elector of and property owner in the county; the name of the corporation; the location of its principal office, which shall be in the county seat of the county; and any other matters relating to the corporation which the incorporators may choose to insert and which shall not be inconsistent with this act or with the laws of the state. The name designated for the corporation and the certificate of incor-

poration shall be one indicating the purpose thereof, such as "Huntsville-Madison County Marina and Port Authority" or some other name of similar import. The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the state to take acknowledgments of deeds, and the certificate of incorporation shall have attached thereto a certified copy of the resolution provided for in Section 1, and a certificate by the Secretary of State that the name proposed for the corporation is not identical with that of any other corporation in the state or so nearly similar thereto as to lead to confusion and uncertainty.

Section 3. The certificates of incorporation with the documents attached shall be filed with the Judge of Probate of the county and the Secretary of State, who shall forthwith receive and record the same. When such certificate is so filed the corporation referred to therein shall come into existence and shall constitute a public body corporate and politic, vested with the rights and powers herein granted.

Section 4. All powers of the corporation shall be exercised by the board of directors or pursuant to its authority. The directors shall be elected by the governing body of Madison County and by the governing body of the City of Huntsville for staggered terms of office as follows: two (2) years for the first appointee of Madison County and five (5) years for the second appointee of Madison County; three (3) years for the first appointee of the City of Huntsville and four (4) years for the second appointee of the City of Huntsville; six (6) years for the appointee named jointly by Madison County and the City of Huntsville; and thereafter the term of office of each director shall be six (6) years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county or is otherwise disqualified to act, the governing body or bodies having appointed such director shall elect a successor to serve for the unexpired term. Directors shall be eligible for re-election to succeed themselves in office. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary and a treasurer, but the office of secretary and treasurer may be held by the same person. All officers shall be elected by the board and shall be members of the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well-bound book. Copies of such proceedings when certified by the secretary of the corporation shall be received in all courts as evidence of the matters and things therein certified. The corporation shall make to the governing bodies of Madison County and the City of Huntsville, an annual written report of its activities and of its plans for the future which report shall include a financial operating statement and balance sheet prepared by the examiner of public accounts for the State of Alabama or by a certified public accountant.

Section 5. A corporation organized and established under the provisions of this act shall have the following powers:

(a) To adopt bylaws for the regulation of its affairs and the conduct of its business.

(b) To adopt an official seal and alter the same at pleasure.

(c) To maintain a principal office at the county seat and sub-offices at such place or places within the county as it may designate.

(d) To sue and be sued in its own name, excepting actions in tort against the corporation.

(e) To construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas ports, water front facilities, docks, wharves, piers, berths, quays, warehouses, industrial and building sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith.

(f) To own, acquire, maintain and control easements, rights of way, streets, approaches, roads, interests in land, including the fee simple title to real property and riparian rights necessary useful or convenient in gaining access, entry or approach to waterways, rivers and streams, whether or not navigable and whether or not such easements, rights of way, streets, approaches, roads, interests in land and riparian rights lead to property owned or controlled by the corporation.

(g) To acquire, receive, take and hold, whether by purchase, gift, lease, devise or otherwise, property of every description, whether real, personal or mixed, and to manage the same, and to develop any undeveloped property owned, leased, or controlled by it.

(h) To execute such contracts or other instruments and to take such action as may be necessary or convenient to carry out the purpose of this act or the exercise of any authority or power granted hereunder.

(i) To construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities suitable for use in or on marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites and industrial and factory buildings or for the conduct of any lawful business at, upon, or adjacent to any property owned or controlled by such corporation and to lease or let such buildings, structures and facilities, or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the corporation may require or approve.

(j) To furnish or supply upon any property owned or controlled by the corporation to persons, machines, automobiles, and watercraft thereon, for reward or compensation, goods, commodities, area facilities and services convenient or useful to the owners, operators and users of watercraft, machines and automobiles and to persons upon property owned or controlled by the authority, including, but not limited to, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline motors and watercraft, motor and watercraft parts and equipment, space in buildings, space for buildings and structures and the services of mechanics, instructors and repairmen.

(k) Charge fees for admission to any of its properties.

(l) To borrow money on such terms as are acceptable to the corporation for any corporate purpose and to execute and deliver its promissory note or notes and such other agreements as may be reasonably necessary or required to consummate the loan and secure the payment of the indebtedness.

(m) To appoint, employ, contract with and provide for compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal advisers and such other employees as the business of the corporation may require, including the power to fix working conditions by general rule and other conditions of employment and at its option to provide a system of disability pay, retirement compensation and pensions or any of them and to hire and fire servants, agents, employees and officers at will.

(n) To fix, establish, collect and alter landing fees, docking fees, tolls, rents and other charges for the use of any facility or other property owned or controlled by the corporation.

(o) To make and enforce rules and regulations governing the use of any property or facility owned or controlled by the corporation.

(p) To provide for such insurance, including use and occupancy insurance as the corporation may deem advisable.

(q) To cooperate with the state, any department or agency of the state, any county, municipality or other political subdivision of the state, or with the United States of America or any of its departments or agencies and to make such contracts with such agencies as the board may deem advisable.

(r) To receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any of its facilities or properties from the United States of America or any agency thereof and from the state, any department or agency thereof, and any political subdivision thereof, and from any municipality, and to receive and accept money, property, labor or other things of value from any source whatever.

Section 6. The corporation shall have the power to borrow money and to issue revenue bonds as evidence of any money borrowed, which bonds shall be payable solely from the revenues derived from the activities and enterprises in which the corporation is hereby authorized to engage. As security for any money so borrowed, together with interest thereon, and any obligations incurred or assumed, the corporation in its discretion may mortgage, pledge or otherwise transfer and convey its real, personal and mixed property, or any part or parts thereof, whether then owned or thereafter acquired, including any franchises then owned or thereafter acquired, and all or any part of the revenues derived from the activities or enterprises in which the corporation is hereby authorized to engage.

When the corporation deems it advisable, convenient, necessary or expedient to issue such bonds it shall so resolve and all the provisions of said resolution or mortgage and of such covenants and agreements as it may enter into to secure the issuance of such bonds shall constitute valid and legally binding contracts between the corporation and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforced by any such holder or holders by mandamus or other appropriate action, suit or proceeding at law or in equity in any court of competent jurisdiction. The circuit court of Alabama or any court of competent jurisdiction shall have the authority to appoint a receiver for the properties of the corporation upon the terms and conditions specified in the resolution authorizing the issuance of the bonds or in any mortgage securing the payment of the principal and interest thereof. Any mortgage given as security for the payment of said bonds may contain such agreements as the corporation shall deem advisable respecting the rights and duties of the parties to such instrument or for the benefit of those to whom such instrument is made, including the right to foreclose or to take possession without foreclosure. Revenue bonds issued under the authority of this section may be in such form and tenor, may bear such rate or rates of interest and have such maturities and redemption privileges as the corporation shall determine.

Such bonds so issued may thereafter, from time to time, be refunded by the issuance or sale or exchange of refunding bonds at such times and in such forms and of such tenor, maturities or rate or rates of interest as may be agreed upon by the authority and the holders of the

bonds so refunded if such refunding is by exchange, and as may be determined by the corporation, if such refunding is by sale of refunding bonds. Such borrowing may be evidenced by sale of such bonds either at private or public sale, in such manner and from time to time as may be determined by the corporation to be most advantageous, and the corporation may pay all expenses, premiums and commissions which the authority may deem necessary and advantageous in connection with any such financing. All such bonds shall be regarded as negotiable instruments. All such bonds and all instruments executed as security therefor shall be exempt from all taxation under the laws of the State of Alabama. Neither the county nor any city in which said corporation is located shall in no event be liable for any money so borrowed, nor shall the same be construed to be an indebtedness of or against such county or any city within such county. The bonds provided for herein shall be issued in the name of the corporation appearing in the certificate filed by the probate judge of the county and said bonds shall be executed in such name by the president, attested by the secretary of the board and thereon shall be impressed or printed the corporate seal. Coupons attached to said bonds may be executed solely by impressing or printing thereon the facsimile signature of the chairman.

Section 7. The contracts of the corporation shall be executed in the name of the corporation by the president of the corporation and attested by the secretary of the corporation. Except for bonds it is not required that the seal be impressed or printed on contracts. Its further provided hereby that, except for bonds, the corporation may provide by resolution for a different form for the execution of contracts and for the execution thereof by an officer or agent other than the president and secretary. But in no event shall a contract, irrespective of the form and of the person executing the same, be binding unless such contract was authorized or ratified by the corporation.

Section 8. Madison County or the City of Huntsville, or any city within the county, is authorized, but not required, to lease, sell, donate or otherwise convey to the corporation, real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of said county, or any city within the county, and the governing body of said county or any city within the county, is hereby authorized to enter into any agreements which such corporation may deem necessary in order to effectuate such lease, sale, donation, or transfer. The county, the City of Huntsville, or any city within the county, is further authorized to covenant with the corporation, which covenant shall likewise constitute a contract with the holders of any revenue bonds, notes or other obligations thereafter issued by the corporation, that it will not acquire, construct or operate or permit the acquisition, construction or operation within the city or county, of any facility in competition with the corporation so long as any of the bonds, notes or other obligation of the corporation shall remain outstanding.

Section 9. No debt, obligation or liability contracted or incurred by the corporation or by any director, officer, employee or agent of the corporation shall be a debt, obligation or liability of the State of Alabama, or of any city, town, county or political subdivision of the State of Alabama.

Section 10. All property of the corporation shall be exempt from state, county and city taxation; and the corporation shall be exempt from license or privilege licenses levied by the state, county or city upon the business or activities conducted or engaged in by said corporation; provided, however, this exemption shall not be construed to exempt concessionaries or lessees of the authority from the payment of any taxes, including licenses, privileges, or sales taxes levied by the state, county or city.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of law which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11th day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Pennington, Grainger, Jones, Laxson and McLain:

H. 1477. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Local Legislation No. 4.

By Messrs. Pennington, Jones, Grainger, Laxson and McLain:

H. 1478. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Local Legislation No. 4.

By Messrs. Pennington, Jones, Grainger, Laxson and McLain:

H. 1479. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Local Legislation No. 4.

By Messrs. Laxson, Grainger, Jones, McLain and Pennington (with notice and proof):

H. 1480. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Local Legislation No. 4.

Notice and Proof H. 1480:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955, v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section three of act number 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama Special Session 1966, is hereby further amended to read as follows: "Section 3. Each deputy circuit solicitor of the twenty-third Judicial Circuit shall be paid by the State of Alabama, an annual salary of Forty-two Hundred (\$4200.00) Dollars payable as the salaries of other state officers are paid. The exact amount of the compensation of each deputy circuit solicitor shall be determined by the circuit solicitor of the Twenty-third Judicial Circuit but such compensation shall be determined by him in accordance with the following table and criteria. There is hereby established a pay table with the grade level and step pay increases within each grade level as follows:

LEVEL	STEP				
	1	2	3	4	5
1	7,800	8,575	9,350	10,125	10,900
2	9,350	10,125	10,900	11,675	12,450
3	10,900	11,675	12,450	13,225	14,000

(a) The Circuit Solicitor for the Twenty-third Judicial Circuit is authorized to hire entry deputy circuit solicitors without prior applicable legal experience at Level One Step One, and to increase their compensation to that set forth in Level One, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor. Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments with-

in the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(b) The said Circuit Solicitor is authorized to hire deputy circuit solicitors with a minimum of two (2) years of applicable legal experience at Level Two, Step One and to increase the compensation for such deputy circuit solicitor to that set forth in Level Two, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor. Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments within the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(c) The said circuit solicitor is authorized to hire deputy circuit solicitors with four (4) years of applicable legal experience at Level Three, Step One and to increase the compensation to that set forth in Level Three, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor. Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments within the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(d) Promotions may be made when a position is vacant and authorized and an incumbent shall be considered qualified if such incumbent has a minimum of two years of applicable legal experience and has performed satisfactory while an incumbent. An incumbent so qualified may be promoted to Level Two and an incumbent shall be considered qualified for promotion if he has a minimum of four (4) years of applicable legal experience and has performed satisfactory while an incumbent. An incumbent so qualified may be promoted to Level three.

(e) Upon promotion to a new level an incumbent shall be placed at one step lower in his new level than the level he was in at the time of the promotion so as to give the incumbent the equivalent of a one step increase in the level from which he was promoted.

Section 2. In the hiring of deputy circuit solicitors and in raising their compensation, the circuit solicitor shall conform to and remain within the limits of the budget for his office as adopted by the governing body of Madison County for each fiscal year unless prior approval for a modification of such budget is approved by such governing body within the fiscal year.

Section 3. In the event the governing body of Madison County shall hereafter adopt a merit system for any of the employees of the county affected by this act, then this act shall become ineffective as of the time of the adoption of said merit system by the county governing body.

Section 4. The designation "Circuit Solicitor" shall include the designation "District Attorney" where each such designation appears herein.

Section 5. All laws or parts of law which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11th day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. Laxson, Jones, Grainger, McLain and Pennington:

H. 1481. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census.

Local Legislation No. 4.

By Messrs. Jones, Laxson, Grainger, McLain and Pennington (with notice and proof):

H. 1482. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Local Legislation No. 4.

Notice and Proof H. 1482:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer non-profit fire departments and volunteer non-profit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of County Commissioners or other like governing body of Madison County, may, in its discretion, appropriate and pay county funds, within the financial means of the county, in such amounts as may seem reasonable and necessary to the commissioners of other like governing body of Madison County, to volunteer non-profit fire departments or volunteer non-profit corporations or organizations, organized for the purpose of providing volunteer service in case of emergencies arising in Madison County, including but not limited to lost children and drowning victims and otherwise furnishing first aid assistance in emergency situations. Such funds so appropriated shall be used for the purchase of equipment, materials or supplies to be used solely for such volunteer non-profit fire departments or such volunteer non-profit corporations or organizations. Any appropriation so made shall be paid by the county treasury or depository on warrants drawn in such manner as the county governing body may direct.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage or approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11th day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. McLain, Jones, Grainger, Laxson and Pennington:

H. 1483. To amend Act No. 780, H. 1499, Regular Session 1961, an act providing for the incorporation in any county having a population of not less than 110,000 nor more than 165,000, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, and improving airports, airport buildings and facilities, and exempting said authority from certain liabilities.

Local Legislation No. 4.

By Messrs. Pennington, Jones, Grainger, McLain and Laxson:

H. 1484. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing

and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Local Legislation No. 4.

By Messrs. McLain, Grainger, Laxson, Jones and Pennington (with notice and proof):

H. 1485. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Local Legislation No. 4.

Notice and Proof H. 1485:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section four of Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965 p. 243, which act amended Act No. 124, S. 28, Acts of Alabama 1961, p. 2047, which said act amended Act No. 658, H. 1030, approved November 21, 1959, Act of Alabama p. 1542, is further amended to read as follows: "Section 4. The revenue collected from the tax hereby levied, less the cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: fifty per cent (50 per cent) thereof shall be paid over to the City of Huntsville; forty-five and one-half (45½ per cent) per cent thereof shall be paid over to the Board of Education of Madison County to be used for public school purposes; one per cent (1 per cent) thereof shall be paid over to the City of New Hope; one per cent (1 per cent) thereof shall be paid over to the City of Gurley; one per cent (1 per cent) thereof shall be paid over to the City of Owens Cross Roads; one per cent (1 per cent) thereof shall be paid over to the City of Madison; one-half of one per cent (½ of 1 per cent) thereof shall be paid over to the city of Triana.

Section 2. This act shall take effect on the first of the month next following the date of its enactment.

Section 3. This act shall not affect the distribution of revenue collected prior to the effective date of the act.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11th day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

By Messrs. McLain, Pennington, Jones, Grainger and Laxson:

H. 1486. To provide, in all judicial circuits composed of one county having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Local Legislation No. 4.

By Messrs. McElhaney, Cameron, Harris, Hobbie and Springer:

H. 1487. To amend Sections 1, 2, 3, 6 and 11 of Act No. 428, H. 933, Regular Session 1961 (Acts 1961, p. 456), entitled an Act "creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 300,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last Federal Census; providing for a Personnel Department to be composed of a Personnel Board and a Personnel Director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the Personnel Director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act," so as to provide further for the composition, powers and functions of the Personnel Department and to regulate further the duties and responsibilities of the Personnel Board and the Personnel Director.

Local Legislation No. 4.

By Messrs. Grayson, Robertson, Culver, Holman, Dill, Dobbs, Slate, Williams, Stubbs and Jackson (T):

H. 1488. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Judiciary.

By Mr. Lyons:

H. 1489. Relating to the department of conservation; amending Code of Alabama 1940, Title 8, Section 185, so as to provide further for the salary of the state forester.

Conservation.

By Mr. Lyons:

H. 1490. Relating to the Department of Conservation; amending Sections 3 and 4 of Act No. 476, S. 418, Regular Session 1951 (Acts 1951, p. 840) which act provides for the separation of the Division of Game, Fish and Seafoods into two divisions, to be renamed the Division of Game and Fish and the Division of Seafoods; and repealing Code of Alabama 1940, Title 8, Section 16, so as to provide further for the compensation of the chiefs of each such division.

Conservation.

By Messrs. Springer, Hobbie, McElhaney, Harris and Cameron:

H. 1491. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Local Legislation No. 4.

By Messrs. Stubbs, Grayson, Young, Collier, Brannan, Jackson (F), Foshee, Owen (Baldwin), Hardin and Ellis:

H. 1492. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Education.

By Mr. Stubbs:

H. 1493. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Local Legislation No. 1.

By Mr. Stubbs:

H. 1494. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Local Legislation No. 1.

By Mr. Stubbs:

H. 1495. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Local Legislation No. 1.

By Mr. Holladay (with notice and proof):

H. 1496. Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Local Legislation No. 1.

Notice and Proof H. 1496:

STATE OF ALABAMA
ST. CLAIR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the court of county commissioners of St. Clair County, other than the presiding judge or chairman thereof, shall be elected hereafter as provided in this Act.

Section 2. Such member of the court of county commissioners of St. Clair County shall hereafter be chosen by the qualified electors of St. Clair County. A candidate for county commissioner must be a resident and qualified elector of the district he seeks to represent, and shall continue to reside therein during his continuance in office. Commissioners from Districts 2 and 3 shall be elected at the general election to be held in 1970 and every four years thereafter. Commissioners from Districts 1 and 4 shall be elected at the general election to be held in 1972 and every four years thereafter. Each member of the court of county commissioners of St. Clair County who is elected under the provisions of this Act shall hold office for a term of four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

Section 3. Except as otherwise provided in this Act, the compensation, election, term of office and qualifications of the members, and the powers and duties of the court of county commissioners of St. Clair County shall be the same as presently prescribed by law. Nothing in this Act shall be construed to affect the compensation, election, term of office, qualifications, or powers and duties of the judge of probate of St. Clair County as presiding judge or chairman of the court of county commissioners of the county.

Section 4. District No. 1 shall be composed of Beats 1, 5, 6, 7, 18 and 22. District No. 2 shall be composed of Beats 2, 3, 4, 17, 23, 25 and 26. District No. 3 shall be composed of Beats 8, 9, 10, 20, 21 and 24. District No. 4 shall be composed of Beats 11, 12, 13, 14, 15, 16 and 19.

Section 5. The election of said commissioners shall be subject to and governed by all applicable primary and general election laws of the State of Alabama.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws in conflict with this Act are, to the extent of such conflict, hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me this 7th day of August, 1969.

ETHEL BLAIR,
Notary Public.

By Messrs. Culver, Grainger, Bank, Robertson, Brown, McElhaney, Kilgore, Holman, Ellis, Hobbie, Weeks, Bowers, Waggoner, Perloff, Grayson, Cameron, Jackson (T) and Wood:

H. 1497. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Judiciary.

By Messrs. Robertson, Culver and Bank (with notice and proof):

H. 1498. To establish a Civil Service System for the City of Northport; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence;

to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Local Legislation No. 1.

Notice and Proof H. 1498:

LEGAL NOTICE

STATE OF ALABAMA
TUSCALOOSA COUNTY
CITY OF NORTHPORT

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law of which is as follows:

AN ACT

To establish a Civil Service System for the City of Northport: to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain right to the governing body of the city.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words, terms, and phrases, wherever used herein, shall have the meanings respectively ascribed to them in this section, and shall include the singular as well as the plural:

Allocation means the assignment of positions to a class on the basis of the nature, difficulty and responsibility of work of the positions.

Appointing authority means the official or board designated by resolution of the governing body as being the official or board having authority to fill vacancies in a specified class, or the governing body itself in the event that the governing body has made no such designation in respect to a class, or having made such designation, has thereafter repealed such resolution.

Board means the Personnel Board of the City of Northport.

Certify, Certification means the act of supplying the appointing authority with names of applicants deemed eligible for appointment to the class or position to be filled.

City means the City of Northport.

Class means a position or group of positions that involve similar duties and responsibilities and require similar qualifications and are designated by a single title indicative of the work to be performed.

Court means the Circuit Court of Tuscaloosa County, Alabama.

Eligible list means a list of names of persons who have successfully competed by examination, arranged in the order of their final ratings.

Employee means a person regularly occupying a position in the classified service or a person who is on authorized leave of absence and whose position is being held for him pending his return, but shall not include an independent contractor.

Demotion means removal of an employee from a position in one class to a position in another class having a lower maximum salary limit than the position from which he was removed.

Governing body means the Mayor and City Council of the city or any governing authority which is a successor thereto.

Merit System-Wherever the term "Merit System" appears, it shall mean the same as "Civil Service System," within the meaning of this act.

Original appointment means the appointment to a position in the classified service of a person who is not being reemployed from the reemployment list nor being promoted from the promotional eligible list and who, except for those in the exempt service and those serving under temporary appointment, is not an employee of the city.

Original appointment eligible list means the eligible list of persons qualified for original appointment to a position.

Laid-off means separated from the classified service of the city because of lack of work or funds or other reason not related to fault, delinquency or misconduct on the part of the employee.

Position means a group of current duties and responsibilities assigned or delegated by competent authority and requiring the full or part time services of one employee.

Promotion means a change of employment from a position of one class to a position of another class which has a higher maximum salary rate.

Promotional eligible list means the eligible list of persons qualified for promotion to a position. Reemployment list means:

(a) the list of names of former employees who have been laid-off from a position within the past two (2) years who had permanent status in that position so long as that position continued in the classified service, arranged in the inverse order in which they were laid-off.

(b) the list of names of those former employees who resigned or otherwise left the city service in good standing at any time within the past two (2) years.

Vacancy means a position duly created with funds provided for payment of a salary, which is not occupied, or which is occupied by a person serving under a temporary appointment.

Section 2. Division Into Exempt and Classified Services. All offices and positions of the city shall be divided into the exempt service and the classified service. The exempt service shall include: the positions of all elected officials of the city; the positions of voluntary personnel and personnel appointed to serve without pay; the positions of consultants rendering temporary professional service; all positions involving seasonal or part-time employment; such positions as the board shall determine to involve unskilled or semi-skilled work; the positions of attorneys rendering legal service; provided, however, such positions in the exempt service held by employees of boards and commissions may be placed in the classified service by resolution of the governing body, after favorable recommendation by such other board or commission, and the governing body in such resolution shall prescribe the conditions under which the employees holding such positions so transferred may acquire permanent status in such positions so long as such positions remain in the classified service. The classified service shall include all positions in the city service that are paid out of the general fund of the city and out of funds of boards and commissions whose employees are placed in the classified service, and which are not specifically placed in the exempt service; provided, however, the governing body may by resolution, pursuant to a recommendation by the boards, remove any position from the classified service and place it in the exempt service. Unless otherwise specifically provided or clearly implied, the provisions of this act shall apply only to the classified service.

Section 3. Status of Present Employees. All employees who have acquired permanent status shall, subject to the provisions of this Act, have permanent status in their present positions so long as such positions remain in the classified service. All other employees shall be eligible to acquire permanent status in their present positions so long as such positions remain in the classified service in the manner provided in Section 14, upon completing six months' service in such positions, such time to be computed from the beginning of such service, rather than from the effective date of this Act.

Section 4. Organization of Board. The personnel program established by this Act shall be administered by the board. The board shall consist of three (3) members who are residents of the city and who shall be appointed by the governing body. No member of the board shall be employed by or be an official of the city, nor hold any elective public office. The composition of the board shall be designated as Place No. 1, Place No. 2, and Place No. 3. The person appointed as a member of the board in Place No. 1 shall serve a term of two (2) years; the person so appointed for Place No. 2 shall serve a term of four (4) years; the person so appointed for Place No. 3 shall serve a term of six (6) years. Vacancies occurring during a term shall be filled for the balance of the term by the governing body. Members of the board shall serve without compensation, but funds shall be provided from the general fund of the city for their reasonable and necessary expenses. The board shall elect from its own members a chairman, a vice chairman and a secretary-treasurer. The board shall meet as often as necessary to carry out the purposes of this Act, however, the governing body shall have the right to control the appropriations to the board and to regulate the expenses of the board as it deems necessary. A majority of the members of the board shall be necessary to constitute a quorum for the transaction

of business and no action shall be taken without the affirmative vote of a majority of the quorum present at a meeting. The board, with the approval of the governing body shall have the right to engage such full or part-time personnel as shall be necessary to carry out the provisions of this Act.

Section 5. General Duties of Board. In addition to the duties set forth elsewhere in this Act, the board shall (a) advise the governing body on matters of personnel administration, including the development of personnel rules, a job classification plan, and a systematic pay plan; (b) represent the public interest in the improvement of personnel administration in the city service; (c) make any inquiry which it may consider desirable concerning personnel administration in the city service; and (d) make recommendations to the governing body with respect to any of the foregoing duties.

Section 6. Rules, Classification Plans, and Pay Plans. So long as the same are not inconsistent with this Act, the board shall have the power to recommend to the governing body the adoption of rules and regulations for the operation of the merit system established hereby, a job classification plan, a pay plan, and a plan for the mandatory and/or permissive retirement of employees. Within sixty (60) day after the presentation of a recommendation of the board, the governing body shall act upon the same, and if the governing body by resolution adopts the recommendation of the board, the same shall become operative and have the force and effect of law. All rules, regulations and pay and classification plans in effect at the time of the adoption of this Act which are not in conflict with the provisions hereof shall remain in force and effect after the effective date of this Act until the same are altered, amended or repealed in the manner hereinafter provided.

Section 7. Amendments and Repeal. Any rule, determination, regulation or plan may be amended or repealed in whole or in part in the same manner as is provided herein for the making of such rules, determinations, regulations or plans.

Section 8. Job Classification Plan. After the adoption by the governing body of a job classification plan, allocation of each position in the classified service shall be made by the board with the approval of the governing body to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same test of competence, and the same pay scale.

Section 9. Pay Plan. After the adoption by the governing body of a pay plan and any rules of its administration, the board, with the approval of the governing body, will assign each position to one of the pay ranges provided in the pay plan to the end that the rate or range of compensation for each class provided for in the pay plan shall be such as to reflect fairly the differences in duties and responsibilities in the various classes.

Section 10. Examinations. Eligibility for original appointment or promotion to vacancies in positions in the classified service, occurring after the adoption of this Act shall be determined by competitive examinations of applicants therefor. Examinations shall be in such form as will fairly test the abilities and aptitudes of the applicants with respect to the duties to be preformed. Applicants who pass the test and otherwise qualify for original appointment or promotion, as the case may be, shall be placed on the appropriate eligible list for the vacancy in the order of the grades they obtained on the examination. The board may refuse to examine, or after examination refuse to certify the name of anyone who is found to lack any of the established qualification requirements for the examination or position for which he applies or who is

physically so disabled as to be unfit to perform duties of the position to which he seeks appointment, or who has been convicted of or is under indictment for any crime involving moral turpitude or who has been guilty of any infamous or disgraceful conduct or who has been dismissed from the public service for delinquency or misconduct or who has intentionally made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application, or in his examination.

Section 11. Temporary Appointment. Pending the availability of a list of names certified as provided in Section 13 hereof, positions may be filled by temporary appointment. The governing body by resolution adopted pursuant to a recommendation of the board may grant permanent status in a position in the classified service so long as such position remains in the classified service, to any employee who has served in a vacancy in a position then in the classified service by temporary appointment for at least twelve (12) months and who has made a passing score on his examination, if at the time of such action by the governing body no such list of names has been so certified for the vacancy in which the said employee is serving.

Section 12. Lists of Names of Persons Available For Appointment. Lists of names of persons available for appointment to a vacancy in a position in the classified service will be selected for certification as provided in Section 13 hereof in the order in which they appear from among the laid-off persons on the reemployment list, promotional eligible list, original appointment eligible list, and reemployment list composed of former employees for said vacancy, which lists shall have priority one over the other in the order named. A former employee with probationary status with respect to the vacancy may, with the approval of the appointing authority, have his name placed at such position on the promotional eligible list as the appointing authority may designate. Policies and procedures for administering eligible lists and covering the duration, cancellation, replacement, and consolidation of such lists, and the removal or suspension of names therefrom shall be provided in the personnel rules.

Section 13. Method of Filling Vacancies. Except as hereinafter provided, vacancies in positions in the classified service shall be filled by the appointing authority by the appointment of a person whose name is certified, within thirty (30) days after certification. Certification shall be made upon request of the appointing authority therefor whenever a vacancy exists, the appointing authority, in his discretion, determines that such vacancy shall be filled, and the name of an applicant for such vacancy is eligible for certification. If there is a laid-off person on the reemployment list with respect to a vacancy, only the top name on such list shall be eligible for certification. In the event the top person is not available for appointment, the next ranking names may be certified until the highest ranking person who is available is appointed. In the event there is no such reemployment list, and the names on the promotional eligible list for such vacancy plus the names on the original appointment eligible list for such vacancy equal three (3) or more, the three (3) names ranked highest on the said promotional eligible list shall be eligible for certification; provided, however, should the said promotional eligible list not contain three (3) names, then the names appearing thereon, plus such of the names ranked highest on the said original appointment eligible list as will be sufficient to bring the number certified to three (3) shall be eligible for certification. If after making a reasonable effort it should prove impossible for the appointing authority to locate any of the persons so certified or should it become known to the board that any person so certified is not willing to accept the position, the appointing authority may request that additional names be certified until the appointing authority has available to

him a list from which to make the appointment containing the aforesaid authorized number of persons all of whom are available for such appointment and willing to accept the position, or, in the event that the list certified to the appointing authority contains fewer than the authorized number of available and willing persons as aforesaid from which to make a selection, the appointing authority, in his discretion, may choose from the remaining certified names, make a temporary appointment, or make no appointment. In the event that there does not exist an employment list which the board deems to be appropriate from which to fill the vacancy, the board shall prepare such a list within a reasonable time after receipt of the request of the appointing authority that eligibility be certified. Provided, however, nothing herein contained shall be construed as preventing an appointing authority, in his discretion, from withdrawing his request for the aforesaid certification, either before or after such certification has been made in response to his request therefor. When ever a person has been certified to and rejected by an appointing authority three (3) times, the board may remove the name of such person from the eligible list on which his name appeared. A person shall be deemed to have been so rejected by an appointing authority when a vacancy is filled from an eligible list on which his name appeared and such person was not selected to fill the vacancy.

Section 14. Probation. Except as provided in Sections 2 and 3, to acquire permanent status in a position in the classified service so long as such position remains in the classified service, employees shall be subject to a period of probation. The regular period of probation shall be six (6) months; provided, however, the board may adopt rules and regulations specifying a longer period of probation for a designated class or classes, or for extension of the probation period for any individual probationary employee, but no probationary period may extend beyond twelve (12) months. The work and conduct of employees with a probationary status shall be subject to close scrutiny and evaluation. An employee retained beyond the end of the probationary period shall have permanent status in the position in which he was so retained so long as that position remains in the classified service, if but only if, the appointing authority files a written statement with the board affirming the fact that the services of the employee have been found to be satisfactory.

Section 15. Absences: Hours of Work. Rules shall be adopted in the manner hereinbefore provided prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover such matters as vacations, holidays, sick leaves, leaves for military service, and leaves granted so that the employee can seek election to public office.

Section 16. Lay-Off of Employees. Any employee may be separated from his position by being laid-off. Reduction in the number of employees shall be made in such class or classes as the appointing authority may designate; provided, however, within each class affected by such reduction employees shall be laid-off in the following order: (1) temporary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (2) probationary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (3) other temporary employees; (4) other probationary employees; and (5) employees having permanent status in the position in the classified service.

Section 17. Dismissal, Demotion and Suspension of Employees. Any employee may be dismissed, suspended without pay or demoted by his appointing authority for any violation of the provisions of this

Act or whenever the good of the service will be served thereby or the employee's work, performance, conduct on or off the job, or insubordinate attitude so warrants; provided, however, that no employee may be suspended without pay for more than fifteen (15) working days at any one time or for more than thirty (30) working days in any one year; and provided further, that no employee shall be dismissed, suspended, without pay or demoted for political considerations other than those enumerated in Section 21 hereof. Any person appointed to a position who has secured his certification there for through fraud shall be removed by his appointing authority and shall not thereafter be eligible for examination for or appointment to any position except by unanimous permission of the board. Each appointing authority shall promptly report to the board in writing the fact and extent of all disciplinary action taken by him against employees holding positions in the classified service.

Section 18. Procedure for Protesting Certain Disciplinary Action. An employee shall have the right to protest any disciplinary action taken against him by his appointing authority; provided; however, an employee serving by temporary appointment and an employee having probationary status shall have no right to protest any such disciplinary action, unless such employee had permanent status in some other position at the time he was appointed to his present position. An employee desiring to protest any disciplinary action directed against him by his appointing authority shall file a protest in writing with the board and with his appointing authority within seven (7) days of the date on which the disciplinary action was taken and request a hearing before the board. Within seven (7) days after receipt of the protest, his appointing authority shall file with the chairman of the board and mail to the employee by certified mail a statement specifying the charges against such employee on which the disciplinary action was based. Upon the filing of such charges, the said chairman shall call a meeting of the board to be held within thirty (30) days after the filing of such charges to hear such protest, and shall forthwith give notice by certified mail to the employee and his appointing authority of the time and place of such meeting. The board shall have the authority to continue the hearing from time to time as may be necessary. In preparing for and conducting such hearing, the chairman and secretary-treasurer of the board shall each have the power to administer oaths, and to subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the subject under investigation.

Subpoenas issued as herein provided shall be served (and the fees and allowances for the service thereof shall be the same) as is provided by law for the service of subpoena issued by the court. Said fees and allowances in connection with the service of such subpoenas issued at the request of the appointing authority or the board shall constitute reasonable and necessary expenses of the board. Such subpoena issued at the request of the employee shall be served as aforesaid but only after such employee has deposited sufficient security with such sheriff or other officer as will guarantee payment of such fees and allowances for such service. In the event any person is duly summoned to appear and testify or produce evidence, or both, before the board, and such person refuses to attend or testify or produce such evidence, or any of them, in obedience to such summons, the board shall have the right to invoke the aid of the court at law. In such event, and upon proper showing by the board to the court, the court shall issue, or cause to be issued, an order or subpoena requiring such person to appear before the board and produce all evidence and give all testimony relating to the issue within his knowledge. Any person failing to obey any such summons by either of said officers of the board without good cause, to be determined by the court, may be punished by the court in the same method as is provided by law for contempt of the court and any per-

son failing to obey and such order or subpoena of the court, may be proceeded against by the court as is by law provided in the case of contempt of such court. In addition, any employee of the city who fails to obey any of such orders or subpoenas may be disciplined as provided in Section 17.

At the hearing the employee and his appointing authority shall each have the right to be represented by counsel. Such hearing shall be governed by rules of practice and procedure adopted by the board, and in conducting such hearing, the board shall not be bound by the technical rules of evidence. No informality or procedure in the conduct of such hearing shall invalidate any decision made by the board. At the conclusion of the hearing, the board shall render a decision (a) affirming the disciplinary action taken if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful or was not too severe; or (b) reversing the action of the appointing authority if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful; or (c) modifying the disciplinary action taken and prescribing the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to some disciplinary action, but that the penalty imposed was too severe. If the board's decision reduced the severity of the disciplinary action taken against the employee, the board, in its decision, may provide that the employee shall be reinstated with or without pay; provided, however, in the event any employee is so ordered to be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. A copy of the board's decision shall be filed with the city clerk of the city and such decision shall become effective immediately upon filing, and it shall become final ten (10) days thereafter unless reversed or modified as hereinafter provided.

Section 19. Appeal to the Court. Decisions of the board may be enforced in the court by mandamus, injunction, or other appropriate proceedings. The employee, the appointing authority, or the city may, within ten (10) days after the decision of the board is rendered, appeal to the court from any decision of the board affirming, imposing or refusing to affirm or impose dismissal or demotion as disciplinary action by filing notice of such appeal with the court and causing a copy of such notice to be served on the appointing authority and any member of the board. Upon filing of such notice, the board shall file with the court a certified transcript of the proceeding had before it with respect to the appeal, and its decision in the matter. The appeal shall be heard at the earliest possible date by the court sitting without a jury on the issues made before the board and the trial in the court shall be de novo. No bond shall be required for such an appeal and the cost of such appeal shall be taxed against the unsuccessful party or as the judge may direct. At the conclusion of such hearing the court may affirm, reverse, or modify the board's decision, or remand the case for further proceedings before the board as the court in its discretion shall deem best. If the order of the court is that the employee shall be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the thirty (30) days next preceding the taking of the disciplinary action in question. An appeal may be taken from any judgment of the court to the Court of Appeals or Supreme Court as provided by law.

Section 20. Records to be Maintained by Board. The board shall maintain adequate records of its proceedings, of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 21. Political Activities Prohibited. No person holding a position in the classified service shall seek or attempt to use any politi-

cal endorsements in connection with any appointment to a position in the classified service. No person holding a position in the classified service shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote of political action of any person or for any consideration. No employee holding a position in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of an employee holding a position in the classified service. No employee holding a position in the classified service shall be a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote, unless on authorized leave of absence for such purpose. Any person holding a position in the classified service who violates any provision of this action may be disciplined by dismissal, suspension without pay, or demotion as provided in Section 17 of this Act. In addition, any person, including but not limited to persons holding a position in the classified service (irrespective of whether or not such persons holding a position in the classified service have or have not theretofore been disciplined therefor as hereinbefore provided) who wilfully violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 22. Expenses of Board. the governing body shall make necessary appropriations from the general fund to pay the reasonable and necessary expenses incurred by the board and its members in the administration of this Act.

Section 23. Right of Governing Body. Nothing herein shall be construed as restricting the right of the governing body (1) to refuse employment and prohibit the further service of any person or persons who are members of an organization which is opposed to the basic purpose of local self government; or (2) to increase or decrease proportionately the compensation of all employees; or (3) to use independent contractors for performance of work or the rendering of service by the city.

Section 24. Severability. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. Repealer. All laws or parts of laws which conflict with this Act are repealed.

Section 26. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA TUSCALOOSA COUNTY

Before me, Lullene DuBose, a Notary Public in and for the State and County aforesaid, personally appeared Karl S. Elebash, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Graphic, a newspaper of general circulation published in said Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once

a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

KARL S. ELEBASH JR.,
Affiant.

Sworn to and subscribed before me on this July 31, 1969.

LULLENE DuBOSE,
Notary Public.

The City Clerk is further directed to deliver the prepared Bills together with the publisher's affidavit to the Honorable Edward D. Robertson, Representative to the Legislature of Alabama from Tuscaloosa County, and respectfully request that he cause the same to be introduced into the Legislature of Alabama.

ATTEST:

ARRON C. WILLIAMSON,
Clerk, City of Northport, Alabama.

G. ROSE,
Mayor, City of Northport, Alabama.

By Mr. Collins (W):

H. 1499. To amend further Code of Alabama 1940, Title 51, Section 388, as amended, which relates to exemptions from state income tax so as to include the retirement pay of members of the Armed Forces of the United States.

Judiciary.

By Messrs. Marr, Wood, Collins (W) and Downing:

H. 1500. To amend Act No. 779, S. 374, Regular Session 1967 (Acts 1967, p. 1639) which act provides for the operation of facilities in state parks by state employees, to allow private individuals to operate boat rental facilities within such parks.

Judiciary.

By Mr. Collins (W):

H. 1501. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

Transportation.

By Messrs. Bolton and Smith:

H. 1502. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division: prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof.

Local Legislation No. 1.

By Messrs. Ellis, Lybrand, Edington, Bowers, Owen (Baldwin), McElhaney, Graham, McCorquodale and Cook (Jefferson):

H. 1503. To further amend Section 2, Title 51, Code of Alabama, 1940, as heretofore amended.

Judiciary.

By Messrs. Adwell, Meeks, Weeks, Waggoner, Kilgore, Cook (Jefferson), Holman, Jackson (T), Ellis, Watkins and Money (with notice and proof):

H. 1504. To amend Section 8 and to further amend Sections 3, 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to included in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Local Legislation No. 2.

Notice and Proof H. 1504:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1969 application will be made for the adoption of an act which will amend Act No. 470 of the 1955 Regular Session of the Legislature of Alabama, approved September 9, 1955 (Ala. Acts, 1955 Regular Session. P. 1067 et seq.), in the respects below stated.

As used in this notice the following terms have the meanings hereby ascribed to them: "Act 929" means Act No. 929 of the Legislature of Alabama of 1951; "Section 9" means Section 9 of Act 929 as said Section 9 now is, or as the same may be hereafter amended; "Limited System" means the Limited Policemen's System established by Act No. 470; "General System" means the General Employees' Pension System established by Act 929.

The proposed Act will amend Section 3 of Act No. 470 by requiring the City and the members of the Limited System to make contributions to the fund of the Limited System which shall always be at the same rates which Section 9 requires members of the General System and the City to make to the fund of the General System; and the proposed Act will also amend said Section 3 by inserting therein provisions which will accord members of the Limited System the same option to make contributions retroactively to the fund of the Limited System as Act No. 929 accords members of the General System to make contributions retroactively to the fund of the General System.

The proposed Act will amend Section 6 of said Act No. 470 by providing that any member of the System who shall be entitled to retirement allowance under subsection (a) of said Section 6 shall receive a monthly amount which shall be one and sixty one hundredths per centum (1-60/100%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus four per centum (4%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty per centum (60%) of his final average salary.

Sub-sections (b), (f), (g), (h) and (i) of Section 6 of said Act No. 470 will be amended so as to provide as follows: "(b) As hereinafter used in this Act certain words and terms here defined shall be accorded the definitions prescribed in the sentence next following. The term 'reduced retirement allowance' means the allowance for which this subsection (b) provides determined by the formula here stated; 'the retired' means the employee member entitled to receive the reduced retire-

ment allowance; 'the date of separation' means the date of the retired's separation from the service; and 'accumulated creditable time' means the creditable time which the retired had to his credit on the date of separation. Any employee member who shall not be entitled to voluntarily retire and obtain a retirement allowance under subsection (a) of this section and who shall be separated from the service, voluntarily or involuntarily, having at least ten years accumulated creditable time, shall be entitled to a reduced retirement allowance from the fund payable at the time and in the amount herein specified, provided he leaves in the fund the contributions thereto made by him; and provided, further, that no moral delinquency on his part contributes to his separation from the service. The payment of the reduced retirement allowance shall commence on the first day of the calendar month next following the retired's becoming 60 years of age.

The amount the retired shall receive monthly as the reduced retirement allowance shall be determined by the following procedure:

- (1) First, determine the amount of the retired's final average salary.
- (2) Second, express in terms of years the retired's accumulated creditable time. (Such expression shall include the fraction of a year of accumulated creditable time, to the extent provided for in subsection (c), below.)
- (3) Third, multiply one and sixty one hundredths per centum (1-60/100ths%) by the number corresponding to the number of years of the retired's accumulated creditable time. The product obtained by the last named multiplication is referred to in (4), next below, as 'product 3'.
- (4) Fourth, multiply the retired's final average salary by the lesser of the following: Product 3 or sixty per centum (60%). The product obtained by the last named multiplication is referred to in (5), below, as 'product 4'.
- (5) The amount of the retired's monthly retirement allowance shall be the prescribed percentage of product 4, which amount shall be determined by the following table:

MONTHLY REDUCED RETIREMENT ALLOWANCE

Retired's accumulated creditable time	Percentage of Product 4 payable as a monthly reduced retirement allowance
Less than 10 years	None
10 to 11 years	50%
11 to 12 years	60%
12 to 13 years	70%
13 to 14 years	80%
14 to 15 years	90%
15 years or more	100%

(6) The percentage of product 4 determined by the retired's accumulated creditable time in accordance with the table in (5) above, is the monthly amount the retired will receive as his reduced retirement allowance.

(f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of

the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No spouse shall be entitled to receive such benefit for any period following remarriage. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age unless he is unable, because of physical or mental disability, to support himself. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to fifty per centum (50%) of the retirement allowance the deceased employee was receiving when he died, or fifty per centum (50%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed.

"The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) to the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the widow on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g), above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to one per cent (1%) of his final average salary multiplied by his number of years of creditable time in excess of thirty."

The proposed Act will amend Section 7 of said Act No. 470 so that said Section 7, as amended, will provide as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the fund equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw a salary as an employee of the city and to continue to accrue until such time as he is no longer disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as 'an ordinary disability allowance. (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the fund equal to seventy per centum (70%) of his monthly salary at the time of the accident resulting in such total disability, and the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to draw a salary as an employee of the city and to continue to accrue until such time as he is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance made under this subsection of this section shall be known as an "extraordinary disability allowance but no disability allowance shall be made by the Board under this subsection of this section after twelve months after the accident resulting in such total disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and

place, should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn or to have earned salary at the same rate of salary as that which he shall be deemed to earn or to have earned salary for the purpose of deductions from salary under Section 3. (g) The board shall have authority to award an extraordinary disability allowance to any member brought under this act by amendment, even though the accident which caused such disability occurred prior to the effective date of such amendment under the provisions of this section as if such new member had been a member of the system at the time of such accident and provided further that such accident shall not have occurred more than twelve months prior to the effective date of such amendment.

The proposed Act will amend Section 8 of said Act No. 470 so that said Section 8, as amended, will provide as follows:

"Section 8. Reduction of Allowances. Any amount otherwise payable by the fund to any beneficiary for any month, or part thereof, because of retirement, disability or relationship to an employee shall be reduced by the amount, if any, paid or payable by the city to such beneficiary for the same month, or any part thereof, on account of the employment of said beneficiary during said month by the city; provided, however, this section shall not require the reduction of any benefit payable to a deceased employee's surviving spouse who was employed by the city on the date of such deceased employee's death, or the reduction of any benefit on account of salaries received by the beneficiary as an elected city official."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 12, 19, 26, August 2, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 4th day of August, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act #216 of the Special Session of the Legislature of Alabama, 1966, Approved August 30th, 1966 (Acts of Alabama 1966, Page 268, et seq) entitled "An Act": To amend Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as re-enacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 216 of the Special Session of the Legislature of Alabama, 1966, approved August 30, 1966 (Acts of Alabama 1966 Page 268) be and the said section is hereby amended so as to read as follows:

"Section 3. Contributions by Members of the System. At the end of each payroll period ending subsequent to October 1, 1955 the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn or to have earned salary at a rate in excess of four hundred dollars (\$400.00) per month. The proviso of the next preceding sentence, hereinafter referred to as the "four hundred dollar proviso," shall not have any part or further application to any member of the system who shall be or shall have become subject to the five hundred dollar limitation under or in accordance with the provisions of subdivision (a), or subject to the provisions of the subdivisions (b), (c), (d) or (e) of this section. (a) For the purpose of deductions from salary, a member of the system who shall be or shall have been a member of the system at September 1, 1957, and who shall not elect or shall not have elected in the manner and within the time hereinafter provided to remain subject to said four hundred dollar proviso, shall be deemed to earn or to have earned, at all past and future times, while a member of the system, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars (\$500) per month, except as hereinafter in this section provided. The aggregate of the monthly deficiencies of deductions from salary of any such member of the system during the period from October 1, 1955 (the effective date of this act) to September 1, 1957, resulting from the operation of the next preceding sentence, together with interest on each such monthly deficiency from the time such deficiency is deemed to have occurred to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum, shall constitute a liability of such member of the system to the city as of September 1, 1957. The amount of said deficiency and interest liability shall be the sum of the following: six per centum (6%) of the excess of salary of such member of the system over four hundred dollars (\$400) and not over five hundred dollars (\$500) for each month between October 1, 1955 and September 1, 1957, being the deficiency of deduction for each month between October 1, 1955 and September 1, 1957, plus interest on each of the aforesaid deficiencies from the end of the month for which computed to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per

annum. Said deficiency and interest liability shall bear interest from September 1, 1957 at the rate of six per centum (6%) per annum. At the end of each payroll period ending after September 1, 1957, the city, in addition to deductions from salary hereinabove provided for, shall deduct from the salary of such member of the system for each such payroll period ending after September 1, 1957 an amount equal to five per centum (5%) of such deficiency and interest liability, together with interest thereon at the rate of six per centum (6%) per annum from September 1, 1957 until such deficiency and interest liability, together with interest thereon, has been fully paid and discharged. Any member of the system subject to or burdened with such deficiency and interest liability or balance thereof may pay and discharge the same by direct payment to the city of the amount thereof, but if such deficiency and interest liability, with any interest thereon, be not paid or discharged in one or more of the manners hereinabove provided, it shall be paid or discharged as provided in Section 12. Any member of the system who shall be or shall have been a member of the system at September 1, 1957 may file with the comptroller at any time within fifteen (15) days after September 1, 1957 a written declaration to the effect that he elects to remain subject to the aforesaid four hundred dollar proviso, and in the event he so files such declaration he shall remain subject to said four hundred dollar proviso, and the sentences of this subdivision (a) preceding this sentence shall have no application to him. (b) For the purpose of deduction from salary, a member of the system who shall be or shall have been such member on or after September 1, 1966 shall be deemed to earn at all times subsequent to said September one-half ($\frac{1}{2}$) of his actual rate of salary but in no event at a rate in excess of five hundred dollars (\$500.00) per month plus one-half ($\frac{1}{2}$) of his actual rate of salary in excess of such five hundred dollars (c) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1966, and who shall have earned in excess of \$500 actual salary during any month prior to said September 1, 1966 for which no deduction was made from that amount of salary in excess of \$500, may elect to pay into the Treasury for any one or more such months in amount equal to six per cent (6%) of one-half ($\frac{1}{2}$) of that part of such actual salary paid such employee member in excess of \$500 in any such month, plus interest on such payment at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the Treasury of any amount provided for in this subdivision (c), such member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No such member shall be entitled to take advantage of the election provided in this subdivision (c) subsequent to September 1, 1967, or subsequent to the time he has ceased to be an active employee of the city. (d) For the purposes of deduction from salary a member of the system who shall be or shall have been such member on or after September 1, 1969, shall be deemed to earn at all times subsequent to said September 1, 1969 salary at his actual rate of salary. (e) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1969, and who shall have earned salary during any month prior to said September 1, 1969, in excess of the amount for which deductions from salary were made under this Act or under Act No. 216 of the 1966 Special Session of the Legislature of Alabama may elect to pay into the Treasury for any one or more such months an amount equal to six percent (6%) of that part of such actual salary paid to such employee in any such month for which no such deductions or payments were made plus interest thereon at the rate of four percent (4%) per annum from the date of payment of the salary upon which such six percent (6%) payment is based. Upon payment into the treasury of any amount provided for in this

subdivision (e) such employee member shall be entitled to have considered that amount of salary upon which deductions and payments were made in computing his final average salary. No such employee member shall be entitled to take advantage of the election provided in this subdivision (e) subsequent to September 1, 1970, or subsequent to the time he has ceased to be an active employee member. (f) The city shall promptly pay each and every deduction and direct payment in this section hereinabove provided for into the general treasury of the city (herein referred to as "the treasury"), and such deduction or direct payment, less, however, so much if any thereof as shall be interest, shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and receiving such direct payments, and of paying into the treasury all amounts so deducted or received. All such amounts so paid into the treasury shall become and be part of the funds and assets of the treasury. The comptroller, however, shall keep a separate account of such amounts so paid into the treasury, of contributions of the members of the system to the treasury, of all disbursements made pursuant to the provisions of this act, and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed prima facie, to speak the truth.

Section 2. Effective date: This Act shall become effective on the first day of the calendar month next succeeding the calendar month in which this Act shall be approved by the Governor or otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 12, 19, 26, August 2, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 4th day of August, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Adwell, Meeks, Weeks, Waggoner, Kilgore, Cook (Jefferson), Holman, Jackson (T), Ellis, Watkins and Money (with notice and proof):

H. 1505. To amend Sections 3, 6, 7 and 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief

System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956: to include in said separate System dependents of said presently active employees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents."

Local Legislation No. 2.

Notice and Proof H. 1505:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 217 of the Special Session of the Legislature of Alabama of 1966, approved August 30, 1966 (Acts of Alabama 1966 Page 280 et seq) Entitled "An Act" to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the fire department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956; to include in said separate system dependents of said presently active employees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 217 of the Special Session of the Legislature of Alabama of 1966, approved August 30, 1966 (Acts of Alabama 1966, Page 280), be and the said section is hereby amended so as to read as follows:

"Section 3. Contributions by members of the System. (a) At the end of each payroll period ending subsequent to the effective date of this Act, the City shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period. (b) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1969, and who shall have earned salary during any month prior to said September 1, 1969, in excess of the amount for which deductions from salary were made under this Act or under Act No. 217 of the 1966 Special Session of the Legislature of Alabama, or under Act No. 307 of the 1943 Session of the Legislature of Alabama, or under Act No. 22 of the Second Special Session of the Legislature of Alabama of 1955 may elect to pay into the treasury for any one or more such months an amount equal to six percent (6%) of that part of such actual salary paid to such employee in any such month for which no such deductions or payments were made plus interest thereon at the rate of four percent (4%) per annum from the date of payment of the salary upon which such six percent (6%) payment is based. Upon payment into the treasury of any amount provided for in this subdivision (b) such employee member shall be entitled to have considered that amount of salary upon which deductions and payments were made in computing his final average salary. No such employee member shall be entitled to take advantage of the election provided in this subdivision (b) subsequent to September 1, 1970, or subsequent to the time he has ceased to be an active employee member. (c) The city shall promptly pay each and every deduction and direct payment in this section hereinabove provided for into the general treasury of the city (herein referred to as "the treasury"), and such deduction or direct payment, less, how-

ever, so much if any thereof as shall be interest, shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and receiving such direct payments, and of paying into the treasury all amount so deducted or received. All such amounts so paid into the treasury shall become and be part of the funds and assets of the treasury. The comptroller, however, shall keep a separate account of such amounts so paid into the treasury, of contributions of the members of the system to the treasury, of all disbursements made pursuant to the provisions of this act, and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed, prima facie, to speak the truth.

Section 2. Effective date: This Act shall become effective on the first day of the calendar month next succeeding the calendar month in which this Act shall be approved by the Governor or otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 12, 19, 26, August 2, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 4th day of August, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1969 application will be made for the adoption of an act which will amend Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Ala. Acts, 1966, Special Session, P. 280 et seq.), in the respects below stated.

As used in this notice the following terms have the meanings hereby ascribed to them: "Act 929" means Act No. 929 of the Legislature of Alabama of 1951; "Section 9" means Section 9 of Act 929 as said Section 9 now is, or as the same may be hereafter amended; "Limited System" means the Limited Firemen's System established by Act No. 217; "General System" means the General Employees' Pension System established by Act 929.

The proposed Act will amend Section 3 of Act No. 217 by requiring the City and the members of the Limited System to make contributions to the fund of the Limited System which shall always be at the same rates which Section 9 requires members of the General System and the City to make to the fund of the General System; and the proposed Act will also amend said Section 3 by inserting therein provisions which

will accord members of the Limited System the same option to make contributions retroactively to the fund of the Limited System as Act No. 929 accords members of the General System to make contributions retroactively to the fund of the General System.

The proposed Act will amend Section 6 of said Act No. 217 by providing that any member of the System who shall be entitled to retirement allowance under subsection (a) of said Section 6 shall receive a monthly amount which shall be one and sixty one hundredths per centum ($1\frac{60}{100}\%$) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus four per centum (4%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty per centum (60%) of his final average salary.

Sub-sections (b), (f), (g), (h) and (j) of Section 6 of said Act No. 217 will be amended so as to provide as follows: "(b) As herein-after used in this Act certain words and terms here defined shall be accorded the definitions prescribed in the sentence next following. The term 'reduced retirement allowance' means the allowance for which this subsection (b) provides determined by the formula here stated; 'the retired' means the employee member entitled to receive the reduced retirement allowance; 'the date of separation' means the date of the retired's separation from the service and 'accumulated creditable time' means the creditable time which the retired had to his credit on the date of separation. Any employee member who shall not be entitled to voluntarily retire and obtain a retirement allowance under subsection (a) of this section and who shall be separated from the service, voluntarily or involuntarily, having at least ten years' accumulated creditable time, shall be entitled to a reduced retirement allowance from the fund payable at the time and in the amount herein specified, provided he leaves in the fund the contributions thereto made by him; and provided, further, that no moral delinquency on his part contributes to his separation from the service. The payment of the reduced retirement allowance shall commence on the first day of the calendar month next following the retired's becoming 60 years of age.

The amount the retired shall receive monthly as reduced retirement allowance shall be determined by the following procedure:

- (1) First, determine the amount of the retired's final average salary.
- (2) Second, express in terms of years the retired's accumulated creditable time. (Such expression shall include the fraction of a year of accumulated creditable time, to the extent provided for in subsection (c), below.)
- (3) Third, multiply one and sixty one hundredths per centum ($1\frac{60}{100}\%$) by the number corresponding to the number of years of the retired's accumulated creditable time. The product obtained by the last named multiplication is referred to in (4), next below, as 'product 3'.
- (4) Fourth, multiply the retired's final average salary by the lesser of the following: Product 3 or sixty per cent (60%). The product obtained by the last named multiplication is referred to in (5), below, as 'product 4'.
- (5) The amount of the retired's monthly retirement allowance shall be the prescribed percentage of product 4, which amount shall be determined by the following table:

MONTHLY REDUCED RETIREMENT ALLOWANCE

Retired's accumulated creditable time	Percentage of Product 4 payable as a month- ly reduced retirement allowance
Less than 10 years	None
10 to 11 years	50%
11 to 12 years	60%
12 to 13 years	70%
13 to 14 years	80%
14 to 15 years	90%
15 years or more	100%

(6) The percentage of product 4 determined by the retired's accumulated creditable time in accordance with the table in (5), above, is the monthly amount the retired will receive as his reduced retirement allowance."

(f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age unless he is unable, because of physical or mental disability, to support himself. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to fifty per centum (50%) of the retirement allowance the deceased employee was receiving when he died, or fifty per centum (50%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and

such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to one per cent (1%) of his final average salary multiplied by his number of years of creditable time in excess of thirty."

The proposed Act will amend Section 7 of said Act No. 217 so that said Section 7, as amended, will provide as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the fund equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw a salary as an employee of the city and to continue to accrue until such time as he is no longer disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as 'an ordinary disability allowance.' (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the fund equal to seventy per centum (70%) of his monthly salary at the time of the accident resulting in such total disability, and the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to draw a salary as an employee of the city and to continue to accrue until such time as he is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance made under this subsection of this section shall be known as an 'extraordinary disability allowance,' but no disability allowance shall be made by the board under this subsection of this section after twelve months after the accident resulting in such total disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treat-

ed as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may, in its discretion, continue him on the disability roll until such time as, in the judgment of the board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 3 of this act, or under Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, whichever is applicable."

The proposed Act will amend Section 8 of said Act No. 217 so that said Section 8, as amended, will provide as follows:

"Section 8. Reduction of Allowances. Any amount otherwise payable by the fund to any beneficiary for any month, or part thereof, because of retirement, disability or relationship to an employee shall be reduced by the amount, if any, paid or payable by the city to such beneficiary for the same month, or any part thereof, on account of the employment of said beneficiary during said month by the city; provided, however, this section shall not require the reduction of any benefit payable to a deceased employee's surviving spouse who was employed by the city on the date of such deceased employee's death, or the reduction of any benefit on account of salaries received by the beneficiary as an elected city official."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 12, 19, 26, August 2, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 4th day of August, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Snell:

H. 1506. Relating to banks and banking; authorizing and permitting one bank holding companies and prohibiting holding companies from owning or controlling two or more banks; to provide for the repeal of inconsistent laws.

Judiciary.

By Mr. Holladay (with notice and proof):

H. 1507. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1507:

LEGAL NOTICE

The following Bill or Act substantially as follows will be introduced at the next special or regular session of the Legislature of the State of Alabama.

AN ACT

To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary lines of the Town of Springville St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in St. Clair County, Alabama, described as follows:

All that part of the East half of the Southeast Quarter of the Northeast Quarter that lies south of Bear Mountain Road in Section 36 Township 14 South Range One East; the Southeast Quarter of the South-

west Quarter of Section One Township 15 South Range One East; the Northwest Quarter of the Northwest Quarter; Northeast Quarter of the Northwest Quarter; Southwest Quarter of the Northwest Quarter; Northwest Quarter of the Southwest Quarter of Section 12 Township 15 South Range One East, and all that part of the Southeast Quarter of the Northwest Quarter of Section 12 Township 15 South Range One East that lies west or northwest of A.G.S. Railroad; and the Northeast Quarter of the Southeast Quarter; Southeast Quarter of the Southeast Quarter of Section 11 Township 15 South Range One East.

Section 2. That the boundaries as set out in Section 1 of this Act, be and the same are hereby established as the corporate limits of the Town of Springville, St. Clair County, Alabama, and all territory now within the corporate limits of said Town together with those lands embraced in said boundaries described above shall hereafter be and constitute the Town of Springville St. Clair County, Alabama.

Section 3. This Act shall go into effect immediately upon the passage and approval of the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herin mentioned he was Publisher of the St. Clair News-Aegis a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me this 7th day of August, 1969.

ETHEL BLAIR,
Notary Public.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Also:

H. 423. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

Also:

H. 765. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

Also:

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

Also:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Also:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Also:

H. 226. To fix the salary of the Attorney General.

Also:

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Also:

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

Also:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Also:

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

Also:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Also:

H. 824. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and

overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

Also:

H. 111. To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms; to provide that it shall be unlawful to exhibit to minors certain prohibited practices; to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgment; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of a minor for the purpose of gaining such minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Also:

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

Also:

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Also:

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Also:

H. 310. For the relief of widows of governors of Alabama.

Also:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Also:

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

Also:

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Also:

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Also:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

H. 418. To make a conditional appropriation from the Alabama special educational trust fund in the state treasury to the use of the Alabama Education Television Commission.

Also:

H. 533. To amend Sections 1 and 3 of Act No. 322, General Acts of Alabama 1947, page 212, which pertains to the catching of shrimp for bait during the closed season and for the licensing of persons selling or offering for sale such shrimp.

Also:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

Also:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

Also:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Also:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Also:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Also:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

Also:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Also:

H. 1065. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Also:

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Also:

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Also:

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Also:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Also:

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

Also:

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent Federal Decennial Census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Also:

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Also:

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

Also:

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

Also:

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

Also:

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 980. Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

Also:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

Also:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Also:

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Talladega County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 117. Mourning the death of Honorable Charles M. Cooper, Director of the Legislative Reference Service.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Also:

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the national system of interstate and defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Also:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in _____ adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$10,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$10,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the

use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, and 1967 Docks Amendment, or said 1957 Docks Amendment.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 39. Commending the Board of Trustees and the Administration of Auburn University for establishing the Center for Urban and Regional Planning.

Also:

S. J. R. 42. Authorizing the installation of additional lighting in both the Senate and House Chamber.

Also:

S. J. R. 52. Designating the new administration building of the University of Alabama the "Frank Anthony Rose Hall" and the married student apartment building the "Tommye Stewart Rose Tower".

Also:

S. J. R. 55. Designating the part of Highway 159 that extends from Fayette to the Pickens line be "The J. M. Moore Highway".

Also:

S. J. R. 56. Asking the U. S. Post Office Department to issue a 10¢ air-mail commemorative postage stamp in recognition of the City of Huntsville.

Also:

S. J. R. 57. Designating the new student center to be constructed at the University of Alabama, as "Ferguson Student Center".

Also:

S. J. R. 58. Commending the Administration, all employees and private contractors of the National Aeronautics and Space Administration for their extraordinary technical accomplishments.

Also:

S. J. R. 61. Mourning the death of Anabel Rice Warren.

Also:

S. J. R. 67. Mourning the death of Mrs. Mildred T. McDow.

Also:

S. J. R. 68. Designating the lands and reaches of the river within the DeSota State Park and south of the State Highway 35 bridge as a State Wild and Scenic River.

Also:

S. J. R. 69. Naming the library at Patrick Henry State Junior College as the "John D. Forte Library".

Also:

S. J. R. 70. Naming the Science Building at Patrick Henry State Junior College the "Ernest Stone Hall".

Also:

S. J. R. 74. Congratulating Richard Lee Holmes as being nominated by the Montgomery Jaycees to be considered as one of Alabama's Four Outstanding Young Men.

Also:

S. 109. To make a conditional appropriation from the Alabama Special Educational Trust Fund to the Montgomery Institute of Neurological Development for the operation and maintenance of the school.

Also:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Also:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Also:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Also:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

Also:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Also:

S. 267. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this state.

Also:

S. 337. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Also:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

Also:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

Also:

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed \$5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

Also:

S. 547. Relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation.

Also:

S. 602. To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality.

Also:

S. 610. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 611. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 618. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Also:

S. 623. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Also:

S. 628. Relating to Tallapoosa County: To regulate further the compensation and expense allowances of members of the county governing body.

Also:

S. 629. Relating to the office of the sheriff in Tallapoosa County; further regulating the salaries of deputies of the sheriff.

Also:

S. 635. Providing for payment by housing authorities or redevelopment agencies, on appeal from condemnation proceedings instituted in counties with any urban renewal or other redevelopment plan or project of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee, except in certain instances, in all

counties of this state with populations of not less than 49,500 nor more than 50,500.

Also:

S. 636. To apply only in counties of this state having populations of not less than 49,500 nor more than 50,500; providing that in any condemnation proceeding instituted in connection with an urban renewal or other redevelopment plan or project, the commissions appointed pursuant to Code of Alabama 1940, Title 19, Section 11, as amended, shall fix the value of any property sought to be acquired at no less than the value of such property as of the date of the announcement of the plan or project or slum, blight, or deterioration to be removed.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO BRING UP H. 82

On motion of Mr. Weeks, the rules were suspended and permission granted to bring up out of order the bill, H. 82.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Crawford	Laxson	Owens (W)
Agee	Culver	Lemley	Pearson
Bank	Dobbs	Lybrand	Pennington
Bassett	Downing	Marr	Pruitt
Beck	Drake	Mays	Robertson
Berryman (W)	Fine	McCorquodale	Sessions
Blanton	Foshee	McDonald	Shumate
Bowers	Garrett	McElhaney	Smith
Brannan	Grainger	McLain	Snell
Brassell	Hardin	Meeks	Steagall
Brown	Harris	Melton	Stembridge
Burgess	Higginbotham	Money	Stubbs
Collier	Hobbie	Neville	Tuck
Collins (W)	Jackson (F)	Owen (Baldwin)	Young
Cook (Coffee)	Jones		

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At the request of Mr. Pearson, unanimous consent was granted that he be added as a co-sponsor to the bill, H. 82.

And the bill:

H. 82. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Pennington
Bassett	Fine	Laxson	Pruitt
Beck	Foshee	Lemley	Robertson
Berryman (W)	Garrett	Lybrand	Sessions
Blanton	Gloor	Malone	Shumate
Bowers	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Snell
Brown	Hardin	McElhaney	Steagall
Burgess	Harris	McLain	Stembridge
Collier	Higginbotham	Meeks	Stubbs
Collins (W)	Hill	Melton	Tuck
Cook (Coffee)	Hobbie	Money	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Young
Culver			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Collins (W), the House concurred in and adopted the Senate amendment to the bill, H. 695, said Senate amendment being as follows:

In Section 2 of the bill, add the following paragraph to the end thereof.

If a majority of the qualified electors of Mobile County participating in the election on the adoption of this amendment shall vote for the adoption thereof, then the approval of this amendment expressed by the vote in said county in favor of its adoption shall of itself authorize the changes herein proposed, and in that event no additional election by the electors of said county shall be required to authorize the same. If the majority vote in said county on the adoption of this amendment is against the adoption thereof, or if the majority vote at any election held in said county pursuant to the provisions of this amendment after its adoption is not in favor of the proposed changes in the definition of Amendment XVIII, the governing body of the said county may from time to time call other elections hereunder on the proposed changes in definitions in Amendment XVIII, but not more than one such election shall be held during any period of twelve consecutive months.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Perloff
Agee	Dobbs	Jackson (F)	Pruitt
Bank	Downing	Jones	Sessions
Bassett	Drake	Laxson	Shumate
Berryman (W)	Fine	Lybrand	Slate
Blanton	Foshee	Marr	Smith
Brannan	Gafford	Mays	Snell
Brassell	Grainger	McElhaney	Starnes
Burgess	Grayson	McLain	Steagall
Cameron	Hain	Meeks	Stembridge
Collier	Hardin	Melton	Tuck
Collins (W)	Harper	Money	Weeks
Cook (Jefferson)	Harris	Owen (Baldwin)	Wood
Crane	Higginbotham	Owens (W)	Wright
Crawford	Hill	Pearson	Yeilding
Culver	Hobbie	Pennington	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1090. Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court, in Equity, for payment of such clerk's salary by the county.

Also:

H. 1116. Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Franklin County.

Also:

H. 1148. To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1151. To regulate further the excusing of persons from jury service in the Twenty-third Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1152. Relating to judicial procedure in the Twenty-third judicial circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Also:

H. 1022. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1033. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties.

Also:

H. 1021. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1155. To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act No. 289, S. 299, 1953 Acts 354).

Also:

H. 1150. To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1158. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000 according to the last federal decennial census.

Also:

H. 1156. To amend further the act approved July 7, 1965 providing for the creation of a county license department in counties having a population of not less than 115,000 nor more than 165,000 according to the 1960 or subsequent federal decennial census, electing to come under the provisions of said Act (Act 103, S. 222, Regular Session, 1965) by providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities.

Also:

H. 1147. To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

Also:

H. 1153. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolution, to-wit:

H. J. R. 117. Mourning the death of the Honorable Charles Madison Cooper, Director of the Legislative Reference Service.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Giles:

S. 764. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Also:

By Mr. Oden:

S. 744. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Also:

By Mr. Carr:

S. 801. To provide that witnesses may be subpoenaed by registered or certified mail in Marshall County under certain conditions.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide that witnesses may be subpoenaed by registered or certified mail in Marshall County under certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. Subpoenas requiring the attendance of witnesses in any civil or criminal case in Marshall County may be served by the county sheriff or constable personally or by leaving a copy thereof at the place of residence of the witness, unless the subpoena is issued during the session of the court in any criminal case when it must be executed by personal service. In all other cases requiring the attendance of witnesses in said county, the sheriff may in his discretion execute service either by registered or certified mail, in which case he shall enclose the subpoena in an envelope with sufficient postage thereon and addressed to the person to be served. Such envelope shall be sent by registered or certified mail, marked deliver to addressee only and return receipt requested. When a return receipt signed by the addressee is received by the sheriff from the United States post office department, the sheriff shall immediately mark the process executed, and such execution shall be considered for all purposes as sufficient personal and legal service. If the subpoena so mailed is not delivered to the addressee, but is returned to the sheriff by the United States post office department, then the sheriff shall immediately make a diligent effort to serve the subpoena personally.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ora Biggs, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv. Mgr. of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, 17, 24, and 31, all in the year 1969.

ORA BIGGS.

Sworn to and subscribed before me August 4, 1969.

MARY G. HIX,
Notary Public.

Also:

By Mr. Cooper:

S. 482. To amend Section 1 of Act No. 208, Acts of Alabama 1966 Special Session, page 256, approved August 26, 1966 entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties;

to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Also:

By Mr. Carr:

S. 800. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff and his deputies and other employees and providing for the manner of their payment; authorizing the appointment of additional deputies; and repealing conflicting laws, specifically Act No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff and his deputies and other employees and providing for the manner of their payment; authorizing the appointment of additional deputies; and repealing conflicting laws, specifically Act. No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119).

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Marshall County shall be entitled to a salary of \$12,000 per annum which shall be paid in equal monthly installments out of the general fund of the county.

Section 2. In addition to the chief deputy sheriff, the sheriff of Marshall County may appoint ten deputies, two jailers, one office deputy, and one matron, whose compensation shall be payable by the county. The compensation of the chief deputy shall be a salary of \$600 a month. The ten deputies shall be paid a salary of not less than \$400 nor more than \$500 a month, the monthly salary to be determined by the sheriff. The office deputy shall be paid a salary of \$350 a month. The matron shall be paid a salary of \$200 a month and the two jailers shall each be paid a salary of \$300 a month. The compensation of the deputies, office deputy, jailers and matron shall be preferred claims against the general funds of the county, and shall be paid on warrants drawn in the manner prescribed by law.

Section 3. The provisions of Act No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119) and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ora Biggs, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv. Mgr. of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, 17, 24, and 31, all in the year 1969.

ORA BIGGS.

Sworn to and subscribed before me August 4, 1969.

LOUISE H. HIBBS,
Notary Public.

My Commission expires April 21, 1971.

Also:

By Mr. Folsom:

S. 799. Relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws.

Also:

By Mr. Folsom:

S. 739. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Hanceville, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Hanceville, Alabama, and in addition thereto the following described territory, to wit:

TRACT I A parcel of land located in the East Half of Section 19, Township 11 South, Range 2 West described as follows: Beginning at the SE Corner of said Section 19, thence West along the section line for a distance of 1470 feet to a point; thence north and parallel with east section line for a distance of 3960 feet more or less to a point on the present corporate line and being the south forty line of the NW¼ of NE¼ of Section 19; thence easterly along present corporate line to the east section line; thence south along section line and present corporate line to the point of beginning, 120 acres more or less, and located in Cullman County, Alabama.

TRACT II A parcel of land located in the North Half of Section 21, Township 11 South, Range 2 West, the South Half of Section 16, and the East Half of Section 20, described as follows: Beginning at a point where the Center Hill Road intersects the present Town Corporate limits and said point being 1929.2 feet south and west 680.9 feet of the NE Corner of said Section 21; thence northeasterly along center of Center Hill Road to a point on the East Section Line of said Section 16, and being North 653.3 feet of the SE Corner of said section 16; thence continuing north along section line for a distance of 766.7 feet to a point in the center of Alabama Highway No. 91; for a distance of 6905 feet to a point on the present Corporate Limits in the center of Moulton Road, said point being South 2596.3 feet and West 5620 feet West of the NE Corner of said Section 21; thence easterly along the present Corporate Limits to the point of beginning, the above described containing 203 acres, more or less, in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 7, May 14, May 21, and May 28 all in the year 1969.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 22, 1969.

SUE EVANS,
Notary Public.

My Commission expires May 21, 1972.

Also:

By Mr. Carr:

S. 798. To regulate further the method of summoning jurors in Marshall County; providing for summoning jurors either by registered or certified mail or personal service by the sheriff of the county.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the method of summoning jurors in Marshall County; providing for summoning jurors either by registered or certified mail or personal service by the sheriff of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marshall County notices of the requirements of the attendance of jury service may, in the discretion of the sheriff, be served either by registered or certified mail or as provided by Code of Alabama 1940, Title 30, Section 33. When service is to be made by registered or certified mail the sheriff shall enclose the summons in an envelope, addressed to the person to be served, and place all necessary postage thereon and mail it by registered or certified mail, deliver to addressee only and return receipt requested. When a return receipt, signed by the addressee, is received by the sheriff from the United States post office department, the sheriff shall immediately mark the process executed, and such execution shall be considered for all purposes as sufficient personal and legal service. If the jury summons so mailed it not delivered to the addressee, but is returned to the sheriff by the United States post office department, then the sheriff shall immediately make a diligent effort personally to serve the summons. The above provisions authorizing service of jury summonses by mail, however, shall not apply to jury summonses returnable before the court instant; and such summonses shall be served only as provided in Code of Alabama 1940, Title 30, Section 33.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ora Biggs, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv. Mgr. of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, 17, 24, and 31, all in the year 1969.

ORA BIGGS.

Sworn to and subscribed before me August 4, 1969.

My Commission expires April 21, 1971.

LOUISE H. HIBBS,
Notary Public.

Also:

By Mr. Stone:

S. 803. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

By Mr. Stone:

S. 820. Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

By Mr. Stone:

S. 766. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Mr. Clark:

S. 777. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Also:

By Mr. Stone:

S. 765. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

By Mr. Stone:

S. 804. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 764. Local Legislation No. 4.
- S. 744. Local Legislation No. 1.
- S. 801. Local Legislation No. 1.
- S. 482. Judiciary.
- S. 800. Local Legislation No. 1.
- S. 799. Local Legislation No. 1.
- S. 739. Local Legislation No. 1.
- S. 798. Local Legislation No. 1.
- S. 803. Local Legislation No. 1.
- S. 820. Local Legislation No. 1.
- S. 766. Local Legislation No. 1.
- S. 777. Local Legislation No. 1.
- S. 765. Local Legislation No. 1.
- S. 804. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Merrill moved that the House non-concur in the Senate amendment to the bill, H. 513, and requested a Committee of Conference, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Alabama Constitutional Commission, hereinafter referred to as "Commission", consisting of twenty-five members appointed as hereinafter provided.

Section 2. The Commission shall consider and investigate the necessity for and the extent and nature of desirable amendments to or general revision of the Constitution of 1901 of Alabama, and the appropriate procedures for submission and adoption of such amendments or revisions.

Section 3. The Commission shall make specific recommendations for amendments or revisions of the Constitution in a report to the Legislature through the President of the Senate and Speaker of the House of Representatives, and to the Governor, on or before the commencement of the Regular Session of the Legislature in 1971.

Section 4. The Commission shall hold public hearings, which shall be attended by not less than five members of the Commission, with respect to all constitutional amendments or revisions proposed to be recommended in its report in each of the Cities of Decatur, Birmingham, Montgomery and Mobile at such times as it may determine, and it may hold such hearings at such other places and times as it may determine. The substance of all proposals to be discussed at such hearings shall be published at least two weeks in advance of the hearings in a daily newspaper or newspapers of general circulation in the area of the hearings as the Commission shall select.

Section 5. The Commission is authorized to employ professional assistants and advisers and clerical and other personnel and to appoint such advisory committees, all as it deems necessary; provided, however, that all persons employed and appointed under this section shall be bona fide residents of Alabama.

Section 6. All agencies of the State and its political subdivisions, including all colleges and universities supported in whole or in part by state funds, are directed to furnish such offices, facilities, advice, assistance and information as the Commission may request, to the extent reasonably within the ability of the agency, and the Commission is authorized to request and receive the benefits of same.

Section 7. The Commission shall cause its final report and such tentative and interim reports and recommendations as it may determine, to be printed for general circulation in such form and quantities, and on such terms as it shall prescribe. All of said reports and recommendations shall be of a public nature and shall be printed as provided in Code of Alabama, Title 55, Chapter 4, Article 4, Subdivision 2.

Section 8. The Commission shall consist of twenty-five members, of whom at least two shall reside in each Congressional District, selected as follows:

- (a) Fourteen members shall be appointed by the Governor;
- (b) The President of the Senate and the Speaker of the House shall be members of said Committee by reason of their office;
- (c) Three members shall be appointed by the Speaker of the House from the membership of the House;
- (d) Two members shall be appointed by the President of the Senate from the membership of the Senate;
- (e) The Chairman and Vice-Chairman of the Legislative Council shall be members by reason of their office;
- (f) The Chairman and Vice-Chairman of the joint House-Senate Constitutional Revision Committee of 1967 shall be members by reason of their office.

Section 9. All appointments and acceptances shall be filed with the Clerk of the House, and published with the Acts of the Legislature. Members shall not be subject to removal. Vacancies resulting from death, incapacity as determined by the Commission, or resignation shall be filled by the officer making the appointment to the place in which the vacancy occurs. The Commission shall, by a majority vote of the whole Commission, designate one of its members as Chairman.

Section 10. The members of the Commission shall be entitled to receive thirty dollars (\$30.00) per diem and mileage on actual meeting days.

Section 11. The Commission shall adopt such rules, regulations and procedures for the conduct of its hearings, its committee meetings and other business of the Commission, as the Commission shall best determine. In adopting reports, making recommendations, determining the holding of public hearings, authorizing the use or disbursement of funds, and in other matters requiring Commission approval, the Commission shall act by a majority of its members present at a meeting thereof at which a quorum is present or by the written consent of a majority of its members. For the purposes of this Section, a quorum shall consist of thirteen members of the Commission.

Section 12. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act. There is hereby created in the State Treasury a fund which shall be known as the Constitutional Commission Fund. This fund shall consist of: (a) all moneys appropriated to the Commission by the State Legislature of Alabama; (b) all moneys received by the Commission by appropriation from county or municipal governments. The fund shall be used and expended as directed by the Commission.

Section 13. There is hereby appropriated to the Commission from the State General Fund the sum of \$100,000.00.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the motion was adopted.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker	Downing	Kilgore	Pruitt
Adwell	Drake	Lybrand	Robertson
Agee	Fine	Malone	Sessions
Bank	Foshee	Marr	Slate
Bassett	Gafford	Mathews	Snell
Beck	Garrett	Mays	Springer
Berryman (W)	Gloor	McCorquodale	Starnes
Blanton	Grainger	McDonald	Steagall
Brannan	Hain	McElhaney	Stembridge
Brassell	Hardin	Meade	Stubbs
Burgreen	Harper	Meeks	Tuck
Collins (C)	Harris	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Crane	Hill	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yielding
Dill	Jackson (F)	Pennington	Young
Dobbs	Jones	Perloff	

—71

Nays: Messrs. Burgess and Collier

—2

COMMITTEE OF CONFERENCE APPOINTED

And the Speaker appointed as a committee on the part of the House Messrs. Garrett, Merrill and Mathews.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 751. To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Program Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 751. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 743. To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 743. Judiciary.

COMMITTEE APPOINTED FOR FUNERAL

The Speaker appointed Messrs. Merrill, Bank, Steagall, Smith, and Lybrand to represent the House at the funeral of Charles M. Cooper.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Jackson:

S. 734. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Also:

By Mr. Jackson:

S. 735. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Also:

By Mr. Harris:

S. 746. To provide for expense allowances of members of Boards of Education of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Also:

By Messrs. Pelham, McDermott and Engel:

S. 745. Proposing an amendment to the Constitution of Alabama to authorize and direct the governing body of Mobile County to pay to the governing body of any municipality within Mobile County the proceeds of the one-fourth of one per centum tax on the taxable property located within such municipality.

Also:

By Mr. Jackson:

S. 736. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240 regular session 1965.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 411, H. 742, Regular Session 1963 (Acts, 1963, p. 912) is amended to read as follows:

"Section 2. A chairman of the Board shall be elected by the qualified electors of the county at the general election of state and county officers in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The chairman must possess the same qualifications for office as the general law prescribes for probate judges. He shall be entitled to an annual salary of Six Thousand Six Hundred dollars (\$6,600.00) payable from the county treasury in equal monthly installments, which shall be his entire compensation for performance of the duties of his office and all ex officio duties imposed by law. In addition, he shall be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of Two Thousand Four Hundred Dollars (\$2,400.00) per annum, which shall be payable from the county treasury in equal monthly installments.

Section 2. Section 4 of said Act is amended to read as follows:

"Section 4. The associate members of the Board shall each receive an annual salary of Five Thousand Four Hundred (\$5,400.00) Dollars. The salaries of the associate members of the Board shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, and shall be their entire compensation for the services required of them by this Act. In addition to his salary, each member of the Board shall also be entitled to an allowance for expenses for performing his duties within Escambia County in the amount of One Thousand Eight Hundred Dollars (\$1,800.00) per annum which shall be payable from the county treasury in equal monthly installments."

Section 3. The last sentence in Section 6 of said Act is amended to read as follows:

"Section 6. . . . The Board may appoint one (1) Chief Clerk with a salary to be fixed by the Board, which salary shall be paid by the County, and may also appoint such clerical assistants as may be necessary."

Section 4. Act 724 H. 1240, Regular Session 1965 is repealed in its entirety.

Section 5. This Act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard 1 a week for 4 consecutive weeks, namely in the issues of June 26, 1969, July 3, 1969, July 10, 1969, July 17, 1969.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 21 day of July, 1969.

ALICE SUMMERVILLE,
Notary Public, State at Large, Ala.

Also:

By Mr. Jackson:

S. 737. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Escambia County shall be authorized to employ not more than eight deputies, including jailers and clerks. The salaries of said deputies to be paid out of the general fund of the county and to be within the limits set out below.

Section 2. The chief deputy shall be entitled to a salary of not less than \$550.00 per month and not more than \$600.00 per month.

Section 3. The second deputy shall be entitled to a salary of not less than \$525.00 per month and not more than \$575.00 per month.

Section 4. The sheriff of said county shall be authorized to employ three deputies to be assigned to such municipalities outside of the corporate limits of the county seat as shall be designated by the

sheriff. The deputies so employed by the sheriff pursuant to this section shall be entitled to a salary of not less than \$460.00 per month and not more than \$510 per month.

Section 5. The two deputies acting as jailers shall be entitled to a salary of not less than \$400.00 per month and not more than \$450.00 per month.

Section 6. The deputy acting as clerk shall be entitled to a salary of not less than \$350.00 per month and not more than \$400.00 per month.

Section 7. The salaries provided for in this act shall be in lieu of any and all compensation now provided by law for sheriff's deputies in Escambia County.

Section 8. The salary actually to be paid to each deputy, within the limits provided by this act, shall be determined by the Board of

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard 1 a week for 4 consecutive weeks, namely in the issues of July 3, 1969, July 10, 1969, July 17, 1969, July 24, 1969.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 25 day of July, 1969.

Alice Summerville,
Notary Public, State at Large, Ala.

Also:

By Mr. Jackson:

S. 738. To alter and rearrange the boundary lines of the city of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a local bill reading substantially as follows will be introduced for passage by the Legislature of Alabama:

AN ACT

To Alter and Rearrange The Boundary Lines Of The City Of Brewton, Alabama So As To Include Within The Corporate Limits Of Said City All Territory Now Within Such Corporate Limits And Also Certain Other Territory In Escambia County, Alabama Contiguous To Said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Brewton, Escambia County, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory described as follows:

The North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$), and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Sixteen (16), Township Two (2) North of Range Ten (10) East.

The Southeast Quarter ($SE\frac{1}{4}$) of Section Nine (9), Township Two (2) North of Range Ten (10) East.

All of the North Half ($N\frac{1}{2}$) of Section Nine (9), Township Two (2) North of Range Ten (10) East that lies East and South of the Old Castleberry Road.

All of the South Half of the South Half ($S\frac{1}{2}$ of $S\frac{1}{2}$) of Section Four (4), Township Two (2) North of Range Ten (10) East that lies South and East of the Old Castleberry Road.

All of the Southeast Quarter of Southwest Quarter ($SE\frac{1}{4}$ of $SW\frac{1}{4}$) of Section Four (4), Township Two (2) North of Range Ten (10) East that lies North and East of the Old Castleberry Road.

Northwest Quarter of Northwest Quarter ($NW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Fifteen (15) Township Two (2), Range Ten (10).

The North Half of Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) of Section Four (4), Township Two (2) North of Range Ten (10) East.

The South Half of Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) and the Southwest Quarter of Northeast Quarter ($SW\frac{1}{2}$ of $NE\frac{1}{4}$); all in Section Four (4), Township Two (2) North of Range Ten (10) East.

Section 2. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard 1 a week for 4 consecutive weeks, namely in the issues of June 26, 1969, July 3, 1969, July 10, 1969, July 17, 1969.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 25 day of July, 1969.

ALICE SUMMERVILLE,
Notary Public, State at Large, Ala.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 734. Local Legislation No. 1.

S. 735. Local Legislation No. 1.

S. 746. Local Legislation No. 1.

SENATE MESSAGE

S. 745. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 3.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 736. Local Legislation No. 1.

S. 737. Local Legislation No. 1.

S. 738. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 112. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Giles:

S. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 719. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 814. To permit banks now or hereafter situated in counties having a population according to the most recent federal decennial census of not less than 49,500 nor more than 50,500 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks.

Also:

By Mr. Giles:

S. 808. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated

to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Be It Enacted by the Legislature of Alabama:

Section 1. Amendment of Act. No. 708, 1967 Regular Session. Section 7 of Act No. 708 adopted at the 1967 Regular session of the Legislature of Alabama, which provides for public highways, streets and bridges in Madison County, Alabama, and contains, inter alia, provisions for the distribution among the said county and the municipalities therein of those portions that are allocated to the said county by Act No. 224, 1967 Special Session, of the net proceeds from that certain excise tax, referred to in the said Act No. 708 as (and herein called) the "highway gasoline tax," and consisting of (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Section 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel, is hereby amended so that the said Section 7 shall read as follows:

Section 7. Use of Tax Proceeds Distributed Under This Act. All tax proceeds paid to the county pursuant to the provisions of this act shall be used by the county only for transportation planning, and for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges, as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the proceeds from the highway gasoline tax were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act. No. 838 adopted at the 1953 Regular Session of the Legislature; provided, that

no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of the state.

All tax proceeds paid to any municipality pursuant to the provisions of this act shall be used by such municipality only for transportation planning, and for the construction, reconstruction, maintenance, widening, alteration and improvement of public roads, bridges, streets, and other public ways including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the said proceeds were or may be lawfully pledged; provided, that no part of the said tax proceeds shall be expended contrary to the provisions of the Constitution of the state.

When requested so to do by any municipality in the county, the highway department may at its discretion make available the services and advice of its engineers and other employees with respect to any work for which that municipality proposes to expend moneys distributed to it under this act. Any such services and advice that may be so made available shall be provided under such terms and conditions as may be mutually agreeable to the highway department and the municipality.

Section 2. Disposition of Unexpended Highway Gasoline Tax Proceeds Allocated to Municipalities Under Act No. 708 Prior to the Effective Date of This Act. The state treasurer shall, within thirty days after the effective date of this act, pay over and distribute to or on the order of each municipality in the county all moneys which shall have been theretofore allocated to that municipality under the said Act. No. 708 and which shall not have been theretofore paid to that municipality; provided, however, that if the state highway department shall within five days after the effective date of this act file with the state treasurer a certificate signed by the Highway Director with respect to any such municipality (a) stating (i) that on the effective date of this act there was an outstanding contract between the said municipality and the state highway department whereunder the said municipality agreed to pay to the said department as compensation for engineering services of the said department in either preparation of plans or supervision of construction work, or both, or as compensation for construction work performed by the said department (or as compensation for both such engineering services and such performance of construction work), any portion of the moneys that might be allocated to that municipality under the said Act. No. 708, (ii) that any such engineering services or construction work have been theretofore actually performed by the said department, (iii) that the amount of the compensation provided for in the said contract does not exceed the reasonable value of the services or work so performed, and (iv) that all or part of the said compensation then remains unpaid, (b) setting forth the amount of the said compensation that then remains unpaid and (c) directing the State Treasurer to pay the said unpaid compensation to the state highway department, out of the aforesaid moneys allocated to the said municipality under the said Act. No. 708 prior to the effective date of this act; then the State Treasurer shall within the said thirty-day period (1) pay to the state highway department, out of the moneys allocated to the said municipality under the said Act. No. 708 prior to the effective date of this act, the amount stated in the said certificate pursuant to the foregoing clause (b) of this section and (2) pay to or on the order of the said municipality the residue of the moneys allocated as aforesaid to such municipality under the said Act No. 708 prior to the effective date of this act.

None of the provisions of this section shall be deemed to prevent the state highway department and any municipality in the county from entering into any arrangement mutually agreeable to them for pay-

ment of any compensation to the state highway department that the municipality may have agreed to make in any contract entered into prior to the effective date of this act. The state highway department and any such municipality are hereby specifically authorized to enter into any such other arrangement and in the event mutually satisfactory arrangements for payment of any such compensation are made between the said department and any such municipality, the department shall not file the certificate hereinabove provided for with respect to that municipality.

Section 3. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 4. Effective Date. This act shall become effective on the first day of the second month following its becoming signed by the Governor or otherwise becoming law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 24, 30, and August 4, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 4 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 814. Local Legislation No. 1.
- S. 808. Local Legislation No. 4.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:
By Mr. Harris:

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Be It Enacted by the Legislature of Alabama:

Section 1. The term "licensing officer," as used in this act shall mean the judge of probate, commissioner of motor vehicle licenses or other officer charged with the duty of issuing motor vehicle licenses in Morgan County.

Section 2. On or after the first day of September each year, the licensing officer, if he elects to do so, may mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them. The application shall be on a form to be provided by the state department of revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year, and motor number of his motor vehicle and such other information with respect thereto as the state department of revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for herein. The application form shall also contain a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature. The licensing officer shall cause the application form to be filled in with the name and address of the owner; the description of the motor vehicle; the license tax and fees to become due on October 1st succeeding, as shown on the license registration and transfer records in his office; and the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama 1940, as amended. The licensing officer shall thereupon cause the application, so filled in, to be mailed to the owner of the motor vehicle at his address shown thereon, or at the address to which such owner requests that the application form be mailed. The owner of the motor vehicle, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, shall sign the application form, indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes, and fees as shown thereon to the director of the department. Money orders and checks for the payment of such taxes and fees shall be made payable to the licensing officer. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax, and fees, the licensing officer shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof. When an application is returned to the licensing officer, unsigned or when less than the correct amount of the taxes and fees due therefor have been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received the licensing officer shall

retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 3. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the licensing officer on or before November 10th preceding the November 15th on which the motor vehicle license tag is due and payable, and the licensing officer shall mail such tag on or before November 14th preceding such November 15th. The licensing officer shall charge and collect a fee of one dollar for each motor vehicle license tag issued by mail, in addition to all other fees prescribed by law. Such additional fee shall be paid by the owner of the motor vehicle with his mailed request for license tags, and all such fees collected by the licensing officer shall be paid into the general fund of the county. The actual expense of mailing application forms to the owners of motor vehicles and of mailing tags as hereinabove provided shall be paid from the general fund of the county upon proper warrant signed by the licensing officer and approved by the county governing body as provided by law. All the forms necessary in the administration of this Act shall be furnished by the state department of revenue.

Section 4. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance of license tags is optional, additional, and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tags in person without the payment of the additional fee hereinabove provided.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20th, June 27th, July 4th, and July 11th, all in the year 1969.

B. C. SHELTON.

Sworn to and subscribed before me July 14th, 1969.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Skidmore:

S. 705. Relating to Tuscaloosa County; to provide a chairman of the county governing body of such county; to prescribe his duties,

powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County to provide a chairman of the county governing body of such county; to prescribe his duties powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Tuscaloosa County is hereby relieved of his duties, powers, and authority as president and ex officio member of the board of revenue or other like governing body of the county. Said duties, powers and authority shall be assumed by a chairman who shall be appointed by the Governor and who shall serve until his successor is elected and qualified.

Section 2. At the general election in November 1970 and every four years thereafter the qualified electors of Tuscaloosa County shall elect from the county at large a chairman of the county governing body in addition to the three members heretofore provided for by law. Such chairman shall assume office at the time the other members of the governing body assume office and shall hold office until his successor is elected and qualified. He must be a qualified elector and legal resident of the county.

Section 3. The chairman of the Tuscaloosa County Board of Revenue shall have and exercise the jurisdiction, power, and authority vested in, conferred on, or required of the probate judge of Tuscaloosa County as president and ex officio member of the board of revenue of said county under Act No. 729, H. 1683, Regular Session 1915 (Local Acts 1915, p. 470) as amended and the general laws of Alabama regarding duties, powers and authority of the presiding officer of a county governing body. As compensation for his services the chairman shall receive a salary of \$12,000 per annum paid in equal monthly installments as the salaries of the other members of the board are paid.

Section 4. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times

herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me July 17, 1969.

LULLENE DuBOSE,
Notary Public.

Also:

By Mr. Harris:

S. 702. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the present regular session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL TO BE ENTITLED AN ACT

To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Hartselle, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein the following described property, to-wit:

That part of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 7 South, Range 4 West lying East of the Easterly right-of-way line of the Louisville and Nashville Railroad; and that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 7 South, Range 4 West lying East of the Easterly right-of-way of the Louisville and Nashville Railroad.

Section 2. This Act shall be effective immediately upon the passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of

general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 22, 1969.

FAYE P. WEEKS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 657. Local Legislation No. 1.

S. 705. Local Legislation No. 1.

S. 702. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 805. To fix the salary of the Clerk of any inferior State or County Court now having two judges in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census and to regulate the payment thereof.

Also:

By Messrs. McDermott and Pelham:

S. 806. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol 1, p. 273), which relates to Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol 1, p. 273), which relates to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1.

Section 1 of Act No. 216, H. 598, Regular Session 1957 (Acts 1957, vol. 1, p. 273), an act relating to bailiffs who serve in the General Sessions Court of Mobile County, is hereby further amended to read as follows:

"Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than sixty-four hundred dollars, to be fixed by the judge. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 10, 17, 24, 31, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 4 day of August, 1969.

S. S. GATLIN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 805. Local Legislation No. 3.

S. 806. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 813. To propose an amendment to the Constitution of Alabama relating to Morgan County and the City of Hartselle and the City of Decatur, authorizing each of them separately or any two or more of them jointly, to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects or sites, to lease, sell,

exchange and otherwise convey all or any part of any such projects or sites; and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to exempt bonds issued to finance the acquisition of industrial sites from the requirement of an election; to specify the details respecting such bond election; to limit the amount of bonds that said county and said cities may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said cities, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or cities, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purpose of said amendment neither said county or said cities shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Also:

By Mr. Harris:

S. 790. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

Also:

By Mr. Harris:

S. 786. To authorize the judge of probate of Morgan County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the judge of probate of Morgan County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Morgan County is hereby authorized to designate one of the clerks in his office as deputy chief clerk. Such deputy chief clerk, after he has taken the same oath of office directed to be taken by the chief clerk and given bond with surety satisfactory to the judge of probate in such sum as he may prescribe, shall be authorized to discharge any ministerial duty and to do and perform any act relative to the discharge of the duties of the judge of probate which the chief clerk is authorized to discharge, do or perform; except that such deputy chief clerk shall not be authorized to continue to perform the duties of the probate office in his own name in the event of a vacancy in the office of judge of probate, unless there is also a vacancy in the office of chief clerk. All such acts shall be done in the same manner prescribed by law for the doing thereof by the chief clerk. The deputy chief clerk and the sureties on his bond shall be liable for any misfeasance or malfeasance of the deputy chief clerk to the same extent that the chief clerk and his bondsmen are liable for any misfeasance or malfeasance of the chief clerk.

Section 2. The county governing body of Morgan County shall provide for the payment out of the county funds of the cost of the deputy chief clerk's bond. Such bond and the oath of office of the deputy chief clerk shall be approved and filed in the same manner prescribed by law for the oath and official bond of the chief clerk.

Section 3. This act shall not be construed to authorize the judge of probate to employ an additional clerk or assistant, nor to increase the compensation of the clerk or other assistant who is designated as deputy chief clerk. It shall only authorize such judge to designate an assistant or clerk whose employment is otherwise authorized by law as such deputy chief clerk.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this act are supplemental; however all laws or parts of laws in conflict or inconsistent with this act are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 24, 1969.

My Commission expires April 18, 1972.

LLOYD E. LOGAN,
Notary Public.

Also:

By Mr. Harris:

S. 781. To provide for and regulate the employment and the compensation out of the county treasury of a deputy clerk and other assistants to the clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for and regulate the employment and the compensation out of the county treasury of a deputy clerk and other assistants to the clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy clerk and such assistants as may be necessary for such courts. The deputy clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the circuit clerk by whom the deputy clerk is appointed. The compensation of the deputy clerk and other assistants shall be fixed by the circuit clerk and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy clerk and other assistants payable by the county shall not exceed such sum as the Board of Revenue and Control or other governing body of Morgan County shall allow therefor.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. Act No. 64, H. 259, of the Regular Session of 1947 (Local Acts 1947, p. 45), Act No. 331, H. 833, of the Regular Session of 1963 (Acts 1963, p. 813) which amends said Act No. 64, and all other acts amendatory thereof are specifically repealed; and all other laws or parts of laws in conflict herewith are also repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 24, 1969.

LLOYD E. LOGAN,
Notary Public.

My Commission expires April 18, 1972.

Also:

By Mr. Harris:

S. 782. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office, relative to the compensation of the clerical assistants.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bid substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 3 of Act. No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office, relative to the compensation of the clerical assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation of the tax assessor of Morgan County and providing him clerical assistance, as amended, is amended further to read as follows:

"Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax assessor, but the tax assessor shall select such clerks, deputies and assistants and fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow there-

for. The tax assessor shall have the right to discharge such clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the books, commonly known as "Tax Abstract," provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expense to Morgan County, for the same, or the preparation of the same. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax assessor from time to time as conditions may warrant."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 24, 1969.

LLOYD E. LOGAN,
Notary Public.

My Commission expires April 18, 1972.

Also:

By Mr. Harris:

S. 783. To provide for and regulate the employment and the compensation out of the county treasury of a deputy register and other assistants to the register of the circuit court of Morgan County and the Morgan County Court of Morgan County; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate the employment and the compensation out of the county treasury of a deputy register and other assistants to the register of the circuit court of Morgan County and the Morgan County Court of Morgan County; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The register of the circuit court of Morgan County and the Morgan County Court of Morgan County shall appoint a deputy register and such assistants as may be necessary for such courts. The deputy register shall possess all powers and authority, both ministerial and judicial, now or hereafter possessed by the register by whom the deputy is appointed. The compensation of the deputy register and other assistants shall be fixed by the register and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy register and the assistants, payable by the county, shall not exceed such sum as the Board of Revenue and Control or other governing body of Morgan County shall allow therefor.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. Act No. 68, H. 263, Regular Session 1947 (Local Acts, 1947, p. 51), Act No. 333, H. 836, Regular Session 1963 (Acts, 1963, p. 814), which amends Act No. 68 of 1947, and all other acts amendatory thereof are hereby specifically repealed; and all other laws or parts of laws in conflict herewith are also repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 24, 1969.

My Commission expires April 18, 1972.

LLOYD E. LOGAN,
Notary Public.

Also:

By Mr. Harris:

S. 784. To amend further Act No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts 1965, v. 1, p. 762); to amend such Act in relation to the appointment and compensation of the clerk of the jury commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A TO BE ENTITLED AN ACT

To amend further Act No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts 1965, v. 1, p. 762); to amend such Act in relation to the appointment and compensation of the clerk of the jury commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act. No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts. Regular Session 1965, v. 1, p. 762), as amended, is further amended to read as follows:

"Section 3. The ex officio members of the jury commission of Morgan County shall not be entitled to any remuneration whatever for the performance of their duties as jury commissioners. The appointed members of the commission shall be entitled to compensation at a rate of ten dollars a day for each day's service, but not exceeding nine hundred dollars, each, per annum. The commission is authorized and empowered to employ a clerk to serve under the direction of the commission and to perform the duties encumbant upon such clerk under the general laws of the State of Alabama as prescribed in Chapter 2 of Title 30, Code of Alabama 1940. and the commission shall fix and prescribe the compensation to be paid to such clerk, which such compensation shall be not less than nine hundred dollars, and not more than fifteen hundred dollars per annum, which such compensation, as fixed by the commission, shall be paid to the clerk in equal monthly payments, out of the county treasury upon the order of the President of the commission."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me August 1, 1969.

LLOYD E. LOGAN,
Notary Public.

My Commission expires April 18, 1972.

Also:

By Mr. Harris:

S. 785. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, relative to the compensation of the clerical assistants.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 3 of No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, relative to the compensation of the clerical assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, as amended, is amended further to read as follows:

"Section 3. The Board of Revenue and Control or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax collector, but the tax collector shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies and assistants selected by him shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor. The tax collector shall have the right to discharge such clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants

shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body, of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax collector and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowances for the clerks, deputies and other assistants to the tax collector from time to time as conditions may warrant."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 26, July 3, July 10, and July 17, all in the year 1969.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 24, 1969.

LLOYD E. LOGAN,
Notary Public.

My Commission expires April 18, 1972.

Also:

By Mr. Harris:

S. 787. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury; to repeal conflicting laws.

Also:

By Mr. Harris:

S. 788. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

Also:

By Mr. Harris:

S. 789. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

S. 813. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 790. Local Legislation No. 1.
- S. 786. Local Legislation No. 1.
- S. 781. Local Legislation No. 1.
- S. 782. Local Legislation No. 1.
- S. 783. Local Legislation No. 1.
- S. 784. Local Legislation No. 1.
- S. 785. Local Legislation No. 1.
- S. 787. Local Legislation No. 1.
- S. 788. Local Legislation No. 1.
- S. 789. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 697. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Also:

H. 860. Relating to all counties having populations of not less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Also:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 677. To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this state; to create a board to be known as the plumbers examining board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said plumbers examining board and their terms of office; to provide for the payment of compensation to the members of said board and its employees; to define the powers conferred upon and the duties imposed upon said board; to provide funds for the maintenance, operations and functions of said board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the board to revoke certificates; to provide for appeals from the ruling of the board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by

said board, and to provide for penalties for the violation of this Act"; so as to provide that municipalities having populations of not less than 130,000 nor more than 200,000 and municipalities having populations of 300,000 or more according to the last or any subsequent federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1161. To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond."

Also:

H. 1160. To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Alabama.

Also:

H. 1159. Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Also:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 400. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

Also:

H. 776. To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of court reporters, and provide for the payment thereof.

Also:

H. 45. To amend and re-enact Section 619 (10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

Also:

H. 396. Relating to the compensation of the State Superintendent of Education.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 79. Relative to inviting Honorable James B. Allen, U. S. Senator from Alabama to address a joint session of the Legislature.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 100. Congratulating Colonel Hudson Powell Lipscomb, Jr. of Bessemer, Alabama on the observance of his 50th year in the practice of law.

Also:

H. J. R. 101. Mourning the death of Colonel Marion Rushton of Montgomery, distinguished lawyer and citizen.

Also:

H. J. R. 102. Extending sympathy to the family of Honorable Floyd Hamilton Mooneyham, of Montgomery.

Also:

H. J. R. 103. Expressing the desire of the Legislature that the Office of the State Toxicologist remain in Mobile, Alabama rather than being moved to Auburn, Alabama.

Also:

H. J. R. 109. Memorializing the United States Senate to pass the "anti-bussing amendment".

Also:

H. J. R. 110. Relative to the economic burden imposed on the educational system of Alabama by the U.S. Department of Health, Education and Welfare.

Also:

H. J. R. 111. Designating the multi-purpose building at Patrick Henry State Junior College Roland Cooper Hall.

Also:

H. J. R. 114. Naming the Exhibit Room on the first floor of the International Trade Center at the Alabama State Docks the Joe A. Killian Room.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 243, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1154. To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

Also:

H. 1149. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1098. To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

Also:

H. 1096. Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Also:

H. 1104. Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

Also:

H. 1076. Relating to Jefferson County; providing for the disposal by the county purchasing agent, or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

Also:

H. 1075. To amend further Section 18 of Title 19, of the Code of Alabama of 1940, as heretofore amended by an Act entitled "An Act to amend Section 18 of Title 19 of the Code of Alabama of 1940," Act No. 758, Regular Session of the Legislature of Alabama 1953, (Acts of 1953, Vol. 2, Pages 1020 and 1021), so as to provide for the exemption of cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, from posting bond for right of entry in condemnation appeals from probate court to circuit court.

Also:

H. 1073. To amend Section 3 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq) which fixes, levies, and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

H. 1080. To authorize any County of this State having a population of 500,000 or more, according to the last or any subsequent Federal Census, to reimburse any officer, agent or employee of the County for any taxes which another State, or any County, municipality or political subdivision thereof, exacts from, or charges, such officer, agent or employee when he obtains in such other State lodging, or other facilities or items, which it is necessary for him to obtain in the performance of his duties for the County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 810, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 163. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 163. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Pierce:

S. 749. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

Also:

By Messrs. Gilmore, Clark, Turner, Stone, Cooper, Jackson, Harris, Giles, Skidmore, Vacca, Adams, Givhan, Folsom, Radney and Morrow:

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

Also:

By Messrs. Goodwyn and Pierce:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 749. Judiciary.

S. 649. Judiciary.

S. 637. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Messrs. Goodwyn, Pierce, Radney, Branyon, Givhan, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Childs, Skidmore and Turner:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 117. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 107. Relative to recreating the Committee created by Act No. 219, 1967 Special Session.

McDOWELL LEE,
Secretary.

AMENDMENT TO H. J. R. 107

Amend H. J. R. 107 by adding, after the last sentence, the following: "No more than \$5,000.00 may be expended by said committee for the duration of its tenure."

SENATE MESSAGE

Mr. Young moved to non-concur in the Senate amendment to the resolution, H. J. R. 107, set out in the above and foregoing Message from the Senate, and requested a Committee of Conference.

And the motion was adopted.

Yeas 55; Nays 13.

Yeas:

Messrs.:	Dill	Hobbie	Pearson
Agee	Dobbs	Holladay	Shumate
Bassett	Downing	House	Smith
Berryman (W)	Ellis	Jackson (F)	Springer
Blanton	Foshee	Kilgore	Starnes
Bolton	Garrett	Lybrand	Steagall
Brannan	Grayson	McDonald	Stembridge
Brown	Hain	McElhaney	Stubbs
Burgreen	Hardin	Melton	Tuck
Cherner	Harper	Merrill	Waggoner
Collier	Harris	Nettles	Williams
Crane	Haygood	Neville	Wright
Crawford	Higginbotham	Owen (Baldwin)	Yeilding
Culver	Hill	Owens (W)	Young

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The Speaker named as a Committee of Conference on the part of the House Messrs. Culver, Young and Hain.

Nays:

Mr. Speaker	Collins (C)	Malone	Meeks
Bank	Collins (W)	Manley	Money
Burgess	Lyons	Marr	Pruitt
Cameron			

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MOTION TO BRING UP H. 356 LOST

The motion of Mr. Sessions to suspend the rules and bring up out of order the bill, H. 356, was lost.

Yeas 36; Nays 23.

Yeas:

Messrs.:	Culver	Haygood	Money
Bank	Dill	Hill	Robertson
Bassett	Dobbs	Holman	Smith
Berryman (W)	Ellis	House	Springer
Blanton	Garrett	Jackson (T)	Stembridge
Bowers	Graham	Kilgore	Stubbs
Brannan	Grayson	Lybrand	Tuck
Cameron	Hain	Lyons	Waggoner
Collins (C)	Hardin	Meeks	Yeilding
Cook (Jefferson)			

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Nays:

Mr. Speaker	Fine	Lemley	Merrill
Beck	Foshee	Malone	Neville
Brown	Harris	Manley	Pearson
Burgess	Hobbie	Marr	Shumate
Burgreen	Holladay	Meade	Wright
Downing	Jackson (F)	Melton	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 475. To amend further Act No. 452, H. 974, Regular Session 1955, an act providing for adoption of the mayor-council form of government in cities having populations of more than 300,000.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 475, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 3.01, 3.02, 3.09 and 4.02 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a mayor-council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3.01 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004) as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more, according to the last or any subsequent federal census, be and said Section 3.01 is hereby amended to read as follows:

"3.01. Number election, term. The Council shall have nine members elected from the city at large to numbered places thereon, in the manner hereinafter provided, five of whom shall be elected at an election held each two years. The places on said council shall be numbered 1 to 9, both inclusive. The regular election at large for the choice of such five members of the council shall be held on the second Tuesday in October of the year during which the term of the five members of the first council elected under the provisions of Section 1.07 hereof for the term most closely approximating two years shall expire, and every two years thereafter. The term of office for each numbered place on the council shall be four (4) years, except as hereinafter provided. At the first regular election of members of the council under this Act held subsequent to January 1, 1970, and every regular election held each two years thereafter, the candidate or candidates, if any, receiving a majority of the votes cast for such numbered place shall be elected to the Council for a four year term except as hereinafter provided. In the event that there is a place on the Council for which no candidate received a majority of the votes cast for such place, then and in that event a run-off election shall be held on the third Tuesday thereafter to be called and held in the same mode and manner and under the same rules and regulations provided in Section 1.07 hereof with respect to the election of the first council, except as otherwise provided by this Section 3.01. In the second or run-off election there shall be two candidates for each numbered place upon the Council for which a candidate was not elected at the first election, and these candidates shall be the ones who received in the first election the highest number of votes for the place for which they were a candidate but were not elected at the first election. The candidate for each numbered place on the Council to be filled at said second or run-off election receiving the highest number of votes cast for the place for which he is a candidate in said election shall be elected. The candidate being elected for the numbered place at said second or run-off election receiving the lowest number of votes of the candidates being elected in said election shall be elected to the Council for a two year term, or in the event that such candidate is elected for the only numbered place being filled at said second or run-off election, then in such event such candidate shall be elected to the Council for a two year term. The other or remaining candidates being elected at said second or run-off election shall be elected to the Council for a four year term. Provided, however, in the event candidates for all numbered places in the regular election receive a majority of the votes cast for all numbered places being filled at such election and there is no necessity for a second or run-off election, then the candidate elected to the council for the numbered place receiving the lowest number of votes of the candidates being elected at such regular election shall be elected to the Council for a two year term. The Council so elected shall take office on the second Tuesday in November following their election. Elections shall, as otherwise herein provided, be governed by the general provisions of law relating to municipal elections of such city."

Section 2. That Section 3.02 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, be and said Section 3.02 is hereby amended to read as follows:

"3.02. Statement of candidacy. Any person desiring to become a candidate in any election for the office of councilman may become such candidate by filing in the office of the Judge of Probate of the county in which such city is situated, a statement in writing of such candidacy and an affidavit taken and certified by such judge of probate or by a notary Public that such person is duly qualified to hold

the office for which he desires to be a candidate. Such statement shall be filed at least 21 days before the day set for such election and shall be in substantially the following form: State of Alabama, _____ County. I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, in said State and County, and reside at _____ in said City of _____, that I am a member of the _____ party (or if not a member of a political party then, I am an independent candidate), that I desire to become a candidate for the office of Councilman, place number _____, in said City at the election for said office to be held on the _____ day of October next and that I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election. Signed _____; Subscribed and sworn to before me by said _____ on this _____ day of _____, 19____, and filed in this office for record on said day. _____, Judge of Probate. Said statement shall be accompanied by a qualifying fee in the amount of \$50.00, which fee shall be paid over by the judge of probate to the general fund of the city. At every such election all ballots to be used by voters shall be printed and prepared by the election commission or other body or official charged by law with the duty of conducting elections and at the expense of said city, and shall contain the names of all candidates directly underneath the words 'For members of the council.' No name shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to provisions as above set forth; no ballot shall be used at any such election except the official ballot prepared by the election commission or other body or official charged by law with the duty of conducting elections, except that the names of candidates may be suitably placed on voting machines if such machines are used to conduct such election. No primary election shall be held for the nomination of candidates for the office of councilman and candidates shall be nominated only as hereinabove provided."

Section 3. That Section 3.09 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more, according to the last or any subsequent federal census, be and said Section 3.09 is hereby amended to read as follows:

"3.09. Vacancies in Council. Whenever any vacancy in the office of councilman shall occur by reason of death, resignation, removal, or any other cause, the Council may, at the next regular or any subsequent meeting of the Council, fill the vacancy; provided such appointment is made within thirty days of the occurrence of such vacancy. The Council, at their discretion, may call upon the election commission of the City, if there be one, and if not, upon the mayor thereof, to call a special election to fill such vacancy, such election to be called not less than thirty and not more than forty-five days from the occurrence of such vacancy; provided, however, if the vacancy occurs within six months prior to the expiration of the term of the numbered place to be filled, then the council may only fill such vacancy by appointment. Notice of election hereunder shall be given at the expense of the city by one publication of at least eighteen days in advance of the same in one or more newspapers published in such city. The method, procedure, and requirements of qualifying, voting upon, and determining the successful candidate shall be the same as is provided herein relative to the election of councilman at regular elections, except that statements of candidacy must be filed at least fifteen days before the date set for such election. The successor to the councilman appointed or chosen at any such election shall qualify for office as soon as practicable

thereafter, and shall be clothed with and assume the duties, responsibilities and powers of such office immediately upon such qualification. Such successor, if appointed as hereinabove provided, shall hold office only until the next election of any kind in which the voters of the City to which this Act applies are qualified electors, at which time said unexpired term shall be filled by said electors in accordance with all provisions of law applicable to such city. Provided further, the successor to such vacancy if elected by the electorate of the city, as hereinabove provided, shall hold office for the unexpired term of his predecessor.

Section 4. That Section 4.02 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more, according to the last or any subsequent federal census, be and said Section 4.02 is hereby amended to read as follows:

"4.02. Statement of candidacy. Any person desiring to become a candidate at any election for the office of mayor may become such candidate by filing in the office of the Judge of Probate of the county in which such city is situated, a statement in writing of such candidacy, accompanied by an affidavit taken and certified by such judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to be a candidate. Such statement shall be filed at least 21 days before the day set for such election and shall be in substantially the following form: 'State of Alabama, _____ County. I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, in said State and County, and reside at _____ in said City of _____, that I am a member of the _____ party (or if not a member of a political party then, I am an independent candidate), that I desire to become a candidate for the office of mayor in said city at the election of said office to be held on the _____ day of October, next and that I am duly qualified to hold said office if elected thereto, and I hereby request that my name be printed upon the official ballot at said election. Signed _____; Subscribed and sworn to before me by said _____, on this _____ day of _____, 19_____, and filed in this office for record on said day. _____, Judge of Probate.' Said statement shall be accompanied by a qualifying fee in an amount equal to \$300.00 which qualifying fee shall be paid over by the judge of probate to the general fund of the city. At every such election all ballots to be used by voters shall be printed and prepared by the election commission or other body or official charged by law with the duty of conducting elections and at the expense of said city, and shall contain the names of all candidates directly underneath the words 'For Mayor'. No names shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to provisions as above set forth; no ballot shall be used at any such election except the official ballot prepared by the election commission or other body or official charged by law with the duty of conducting elections, except that the names of candidates may be suitably placed on voting machines if such machines are used to conduct such election. No primary election shall be held for the nominations of candidates for the office of mayor and candidates shall be nominated only as herein above provided."

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective on January 1, 1970, after its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Culver	Higginbotham	Merrill
Agee	Dill	Hill	Money
Bank	Dobbs	Hobbie	Nettles
Bassett	Downing	Holladay	Neville
Berryman (W)	Edington	Holman	Owen (Baldwin)
Blanton	Ellis	Jackson (F)	Pearson
Bowers	Fine	Jackson (T)	Pruitt
Brannan	Foshee	Kilgore	Robertson
Brassell	Gafford	Lemley	Shumate
Brown	Garrett	Lybrand	Starnes
Burgess	Graham	Lyons	Steagall
Burgreen	Grayson	Malone	Stembridge
Cameron	Hain	Manley	Stubbs
Collier	Hardin	Marr	Tuck
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Meeks	Williams
Cook (Jefferson)	Haygood	Melton	Wright
Crawford			

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And said bill:

To amend Sections 3.01, 3.02, 3.09 and 4.02 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

As amended by the Senate amendment, was again read at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Culver	Higginbotham	Merrill
Agee	Dill	Hill	Money
Bank	Dobbs	Hobbie	Nettles
Bassett	Downing	Holladay	Neville
Berryman (W)	Edington	Holman	Owen (Baldwin)
Blanton	Ellis	Jackson (F)	Pearson
Bowers	Fine	Jackson (T)	Pruitt
Brannan	Foshee	Kilgore	Robertson
Brassell	Gafford	Lemley	Shumate
Brown	Garrett	Lybrand	Starnes
Burgess	Graham	Lyons	Steagall
Burgreen	Grayson	Malone	Stembridge
Cameron	Hain	Manley	Stubbs
Collier	Hardin	Marr	Tuck
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Meeks	Williams
Cook (Jefferson)	Haygood	Melton	Wright
Crawford			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1028. Relating to St. Clair County; levying a privilege license or excess tax upon sellers, distributors, or users of malt or brewed beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Holladay, the House concurred in and adopted the Senate amendment to the bill, H. 1028, said Senate amendment being as follows:

House Bill 1028 is hereby amended as follows, by striking the word "excess" where same appears in line 2 of the caption and in lieu thereof insert the following, "excise".

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crane	Higginbotham	Owen (Baldwin)
Agee	Crawford	Hill	Owens (W)
Bank	Culver	Hobbie	Pearson
Bassett	Dill	Holman	Pruitt
Beck	Dobbs	Jackson (F)	Robertson
Berryman (W)	Downing	Jackson (T)	Shumate
Blanton	Ellis	Jones	Snell
Brannan	Fine	Kilgore	Starnes
Brassell	Foshee	Lemley	Steagall
Brown	Gloor	Lybrand	Stembridge
Burgess	Graham	Lyons	Stubbs
Burgreen	Grainger	Malone	Tuck
Cameron	Grayson	Manley	Waggoner
Cherner	Hain	Marr	Weeks
Collier	Hardin	Meade	Williams
Collins (C)	Harper	Melton	Wright
Collins (W)	Harris	Merrill	Yeilding
Cook (Coffee)	Haygood	Money	Young
Cook (Jefferson)			

—73

And said bill:

Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors or users of malt or brewed beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;

As amended by the Senate amendment, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Cameron
Agee	Berryman (W)	Brown	Cherner
Bank	Blanton	Burgess	Collier
Bassett	Brannan	Burgreen	Collins (C)

Collins (W)	Grayson	Lemley	Robertson
Cook (Coffee)	Hain	Lybrand	Shumate
Cook (Jefferson)	Hardin	Lyons	Snell
Crane	Harper	Malone	Starnes
Crawford	Harris	Manley	Steagall
Culver	Haygood	Marr	Stembridge
Dill	Higginbotham	Meade	Stubbs
Dobbs	Hill	Melton	Tuck
Downing	Hobbie	Merrill	Waggoner
Ellis	Holman	Money	Weeks
Fine	Jackson (F)	Owen (Baldwin)	Williams
Foshee	Jackson (T)	Owens (W)	Wright
Gloor	Jones	Pearson	Yeilding
Graham	Kilgore	Pruitt	Young
Grainger			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgreen, the House concurred in and adopted the Senate amendment to the bill, H. 682, said Senate amendment being as follows:

In Section 3, subsection (g) strike the words and figures: "who shall be paid twenty dollars out of the general fund"—and insert in lieu thereof the following: "who shall be paid thirty dollars out of the general fund".

Also, in Section 11 (a) strike out the last three sentences and insert in lieu thereof the following:

All such fees, commissions and charges shall be remitted by the clerk and register to the general fund of Limestone County in accordance with the provisions of Section 7 (d) of this act. Each shall have authority to purchase at the county's expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court. Said clerk and register shall make a bond payable to the state in the penal sum of twenty-five thousand dollars and shall take the oath of office as required of all officers.

Also, strike out Section 8 of the bill in its entirety and insert in lieu thereof the following:

Section 8. (a) No prosecution shall be commenced in the court except by transfer from the circuit court of Limestone County or upon sworn complaint made to either the judge, clerk or solicitor of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictment. The clerk shall keep a docket of all complaints made or warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused. (b) An amendment of the sworn complaint or affidavit without the defendant's consent shall entitle the defendant to a continuance. (c) There is created the office of the Solicitor of the Limestone County Superior Court in lieu of a deputy solicitor or a county solicitor or the solicitor of the Limestone County Court, who shall receive a salary of Six Thousand (\$6,000) Dollars per annum, payable in equal monthly installments out of the general fund of the county as the salaries of county employees are paid, and all solicitor's fees taxed in the courts of Limestone County shall be paid into the general fund of said county. The Honorable T. Schram Woodroof, the present solicitor of the Limestone County Court shall hold said office until the first Monday after the second Tuesday in January, 1971 and until his successor shall be elected and qualified. A solicitor of the Limestone County Superior Court shall be elected at the general election to be held in 1970 and each four years thereafter, and the term of such solicitor shall be for four years commencing on the first Monday after the second Tuesday in January following his election, and until his successor is elected and qualified. Vacancies in the office of solicitor of said court shall be filled by the Governor, and such appointee shall hold said office for the unexpired term. In the event the solicitor of said court is absent or disqualified, the judge shall appoint a special prosecutor who shall be paid Thirty (\$30) Dollars for each day, or fraction thereof, that he is called upon to serve, out of the general fund of the county. The solicitor of the Limestone County Superior Court shall be clothed with all the powers and shall be charged with all the duties which have been heretofore or may be hereafter granted to or imposed upon deputy solicitors, and shall, when requested by the judge of any court of said county possessing juvenile jurisdiction, attend such sessions of the said court to represent the interest of the State of Alabama, and shall prosecute for the State all criminal cases commenced in the Limestone County Superior Court and shall prepare any and all complaints, affidavits or other pleadings in which the State is a party.

Also, strike out Section 17 of the bill and insert in lieu thereof the following:

Section 17. This Act shall become effective on September 1, 1969.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Dill	Hardin
Agee	Cameron	Dobbs	Harper
Bank	Cherner	Downing	Harris
Bassett	Collier	Ellis	Higginbotham
Beck	Collins (C)	Fine	Hill
Blanton	Collins (W)	Foshee	Hobbie
Bowers	Cook (Coffee)	Gloor	Holman
Brannan	Cook (Jefferson)	Graham	Jackson (F)
Brassell	Crane	Grainger	Jackson (T)
Brown	Crawford	Grayson	Jones
Burgess	Culver	Hain	Kilgore

Lemley	Melton	Pennington	Stubbs
Lybrand	Merrill	Pruitt	Tuck
Lyons	Money	Shumate	Waggoner
Malone	Nettles	Slate	Weeks
Manley	Neville	Snell	Williams
Mays	Owen (Baldwin)	Starnes	Wright
McElhaney	Owens (W)	Steagall	Yeilding
Meade	Pearson	Stembridge	Young
Meeks			

—77

And the bill, H. 682, as amended by the Senate amendment, was again read at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	Holman	Owen (Baldwin)
Agee	Culver	Jackson (F)	Owens (W)
Bank	Dill	Jackson (T)	Pearson
Bassett	Dobbs	Jones	Pennington
Beck	Downing	Kilgore	Pruitt
Blanton	Ellis	Lemley	Shumate
Bowers	Fine	Lybrand	Slate
Brannan	Foshee	Lyons	Snell
Brassell	Gloor	Malone	Starnes
Brown	Graham	Manley	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McElhaney	Stubbs
Cameron	Hain	Meade	Tuck
Cherner	Hardin	Meeks	Waggoner
Collier	Harper	Melton	Weeks
Collins (C)	Harris	Merrill	Williams
Collins (W)	Higginbotham	Money	Wright
Cook (Coffee)	Hill	Nettles	Yeilding
Cook (Jefferson)	Hobbie	Neville	Young
Crane			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dominick and Torbert:

S. J. R. 83. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the modernization of legislative processes. The committee shall consist of seven members, four of whom shall be members of the House to be appointed by the Speaker of the House, and three of whom shall be members of the Senate to be appointed by the presiding officer of the Senate. The committee shall elect a chairman and a vice-chairman from among its members. The chairman shall preside at its meetings and set the schedule and program for committee work and shall fix the days and hours of its meeting. In case of the absence or incapacity of the chairman, the vice-chairman shall act in his stead.

The committee shall consider those phases of the legislative processes of this state which it believes to be in need of modernization and shall attempt to determine in what manner and by what method more effective processes might be incorporated. It shall make a comprehen-

sive study of the legislatures of other states in which modernized processes have been inaugurated and determine to what extent they have been effective in those states and to determine the cost thereof. It shall be authorized to make such inquiries and examine in detail any phase of such modernization as the committee may reasonably consider might be made effectively applicable to this state.

Members of the committee shall be entitled to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work. The expenses of the committee shall be paid from funds appropriated to the use of the legislature, on warrants drawn by the State Comptroller upon requisitions signed by the committee chairman, provided the total amount so expended shall not exceed five thousand dollars (\$5,000).

The committee shall make a final report of its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of the next regular session of the legislature, whereupon the committee shall be dissolved.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 83 set out in the above and foregoing Message from the Senate.

Yeas 76; Nays 5.

Yeas:

Mr. Speaker	Dobbs	House	Neville
Adwell	Downing	Jackson (F)	Owen (Baldwin)
Agee	Ellis	Jones	Owens (W)
Bank	Fine	Kilgore	Pearson
Bassett	Foshee	Laxson	Pennington
Berryman (W)	Gafford	Lemley	Pruitt
Blanton	Gloor	Lybrand	Sessions
Brannan	Graham	Malone	Slate
Brassell	Grainger	Manley	Snell
Burgess	Grayson	Marr	Starnes
Burgreen	Hain	Mays	Steagall
Cameron	Hardin	McCorquodale	Stembridge
Cherner	Harper	McLain	Stubbs
Collier	Harris	Meade	Waggoner
Collins (W)	Haygood	Meeks	Weeks
Cook (Coffee)	Hill	Melton	Williams
Crane	Hobbie	Merrill	Wright
Culver	Holladay	Money	Yeilding
Dill	Holman	Nettles	Young

—76

Nays:

Messrs.:	Crawford	Jackson (T)	Tuck
Collins (C)	Higginbotham		

—5

MOTION TO BRING UP H. 1325

On motion of Mr. Marr, the rules were suspended and permission granted to bring up out of order the bill, H. 1325.

Yeas 56; Nays 8.

Yeas:

Mr. Speaker	Crane	Hobbie	Money
Agee	Culver	House	Nettles
Bank	Dill	Jackson (F)	Neville
Berryman (W)	Downing	Jones	Owens (W)
Brannan	Edington	Kilgore	Pearson
Brassell	Ellis	Laxson	Perloff
Brown	Fine	Lemley	Robertson
Burgess	Foshee	Lyons	Sessions
Burgreen	Graham	Malone	Slate
Cameron	Grayson	Marr	Starnes
Collier	Hain	McLain	Steagall
Collins (C)	Harper	Meade	Weeks
Collins (W)	Higginbotham	Melton	Williams
Cook (Coffee)	Hill	Merrill	Young

—56

Nays:

Messrs.:	Harris	Lybrand	Stembridge
Crawford	Jackson (T)	Mays	Tuck
Gloor			

—8

UNANIMOUS CONSENT FOR CO-SPONSOR

At the request of Messrs. Downing and Grayson, unanimous consent was granted that they be added as co-sponsors to the bill, H. 1325.

And the bill:

H. 1325. To define "fifty tons burden" as used in the Alabama Sales Tax law, Act No. 100, H. 94, 2nd Special Session 1959 (Acts 1959, p. 298), as amended and supplemented, and as used in the Alabama Use Tax law, Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended and supplemented.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Culver	Holman	Neville
Adwell	Dill	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bank	Edington	Jackson (T)	Pearson
Bassett	Ellis	Jones	Perloff
Beck	Fine	Kilgore	Pruitt
Berryman (W)	Foshee	Laxson	Robertson
Brannan	Gafford	Lemley	Sessions
Brassell	Gloor	Lybrand	Slate
Brown	Graham	Lyons	Snell
Burgess	Grainger	Malone	Starnes
Burgreen	Grayson	Marr	Steagall
Cameron	Hain	Mathews	Stembridge
Collier	Hardin	Mays	Stubbs
Collins (C)	Harper	McLain	Tuck
Collins (W)	Harris	Meade	Weeks
Cook (Coffee)	Higginbotham	Melton	Williams
Cook (Jefferson)	Hill	Merrill	Wright
Crane	Hobbie	Money	Young
Crawford	Holladay	Nettles	

—79

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Lindsey, Pelham and Skidmore.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 82. WHEREAS the Governor has announced the location of a state vacation park on the Walter F. George Reservoir near Eufaula, Alabama which is one of the most beautiful areas of this state; and

WHEREAS this scenic spot will not only be a haven of rest and recreation for native Alabamians, but it will also serve as a major attraction in bringing tourists and visitors from other states to Alabama and in making them increasingly aware of the many advantages of vacationing in Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new vacation park on Lake Eufaula be named, designated and known as the Albert Brewer Lakepoint Resort as a fitting tribute to our highly esteemed Governor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the rules were suspended and the House concurred in and adopted the S. J. R. 82 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Torbert:

S. J. R. 84. WHEREAS, the untimely passing of Mr. Samuel Wright (Sam) Morgan, Jr., on August 2, 1969, has brought sorrow to his family and to his many friends, not only in Lee County, but throughout the state of Alabama and in other states as well; and

WHEREAS, Mr. Sam Morgan was eminently respected in banking circles for his undaunted efforts in establishing the bank as an instrument of community development; and

WHEREAS, Mr. Morgan was instrumental in the organization and operation of several banks in Lee County and directed the Opelika National Bank to leadership in the field of processing government insured home loans for veterans after World War II, now therefore

BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we deplore the loss of Mr. Sam Morgan, Jr., whose death deprives the community and the state of one of its leaders, and that we extend our heartfelt sympathy to his family; and

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to Mr. Morgan's wife and family.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Higginbotham, the rules were suspended and the House concurred in and adopted the S. J. R. 84 set out in the above and foregoing Message from the Senate.

MOTION TO BRING UP H. 880

On motion of Mr. Pennington, the rules were suspended and permission granted to bring up out of order the bill, H. 880.

Yeas 69; Nay 1.

Yeas:

Mr. Speaker	Culver	Holman	Money
Agee	Dobbs	House	Nettles
Bank	Downing	Jackson (F)	Owen (Baldwin)
Bassett	Ellis	Jackson (T)	Pearson
Beck	Fine	Jones	Pennington
Berryman (W)	Foshee	Kilgore	Perloff
Blanton	Gloor	Laxson	Pruitt
Bowers	Graham	Lemley	Robertson
Brannan	Grainger	Lybrand	Sessions
Brassell	Grayson	Malone	Snell
Burgess	Hardin	Marr	Starnes
Burgreen	Harper	Mays	Steagall
Cherner	Headley	McCorquodale	Stembridge
Collier	Higginbotham	McLain	Stubbs
Collins (W)	Hill	Meade	Tuck
Cook (Coffee)	Hobbie	Melton	Williams
Crane	Holladay	Merrill	Wright
Crawford			

—69

Nay: Mr. Harris

—1

And the bill:

H. 880. To provide for uniformity in designating county governing bodies in the several counties of this state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Money
Agee	Ellis	Jackson (T)	Nettles
Bank	Fine	Jones	Owen (Baldwin)
Bassett	Foshee	Kilgore	Pennington
Beck	Gafford	Laxson	Perloff
Berryman (W)	Gloor	Lemley	Pruitt
Blanton	Graham	Lybrand	Robertson
Bowers	Grainger	Malone	Sessions
Brannan	Grayson	Marr	Snell
Brassell	Hain	Mays	Starnes
Burgreen	Hardin	McCorquodale	Steagall
Cherner	Harper	McDonald	Stembridge
Collier	Headley	McElhaney	Stubbs
Collins (W)	Higginbotham	McLain	Tuck
Cook (Coffee)	Hill	Meade	Weeks
Crane	Hobbie	Meeks	Williams
Crawford	Holman	Melton	Wright
Culver	House	Merrill	Yeilding
Dobbs			

—73

MOTION TO BRING UP H. 8

On motion of Mr. Neville, the rules were suspended and permission granted to bring up out of order the bill, H. 8.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Merrill
Agee	Culver	Hill	Money
Bank	Dobbs	Holman	Nettles
Bassett	Downing	House	Neville
Berryman (W)	Ellis	Jackson (F)	Owens (W)
Blanton	Fine	Jackson (T)	Perloff
Bowers	Foshee	Jones	Robertson
Brannan	Gafford	Kilgore	Sessions
Brassell	Garrett	Laxson	Snell
Burgess	Gloor	Lemley	Starnes
Burgreen	Graham	Lybrand	Steagall
Cherner	Grainger	Malone	Stubbs
Collier	Grayson	Marr	Tuck
Collins (C)	Hain	Mays	Weeks
Collins (W)	Hardin	McElhaney	Williams
Cook (Coffee)	Harper	Meade	Yeilding
Crane	Headley	Melton	

—67

And the bill:

H. 8. Relating to voters and voting; making it unnecessary for certain absentee voters to make new applications to vote in certain run-off primary elections; prescribing additional duties for officers or persons who handle absentee voting.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owen (Baldwin)
Agee	Dill	Jackson (T)	Owens (W)
Bank	Dobbs	Jones	Pennington
Bassett	Downing	Kilgore	Perloff
Beck	Fine	Laxson	Robertson
Berryman (W)	Foshee	Lemley	Sessions
Blanton	Gafford	Malone	Snell
Bowers	Gloor	Marr	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McElhaney	Stembridge
Burgess	Grayson	McLain	Stubbs
Burgreen	Hain	Meade	Tuck
Cherner	Hardin	Melton	Watkins
Collier	Harper	Merrill	Weeks
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wright
Crane	Hill	Neville	Yeilding
Crawford	Holman		

—70

MOTION TO BRING UP H. 270

On motion of Mr. Cherner, the rules were suspended and permission granted to bring up out of order the bill, H. 270.

Yeas 52; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Merrill
Agee	Dobbs	Holman	Money
Bank	Downing	Jones	Nettles
Berryman (W)	Drake	Kilgore	Pennington
Blanton	Gafford	Laxson	Perloff
Bowers	Garrett	Lybrand	Robertson
Brannan	Gloor	Malone	Sessions
Brassell	Graham	Mays	Stubbs
Burgess	Grayson	McElhaney	Tuck
Cherner	Harper	McLain	Watkins
Collier	Headley	Meade	Weeks
Cook (Coffee)	Higginbotham	Meeks	Williams
Culver	Hill	Melton	Yeilding

—52

Nay: Mr. Harris

—1

And the bill:

H. 270. Relating to certain schools or courses of instruction publicized, sold, offered for sale or administered to residents of this State; prescribing certain requirements relative to the solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the state board of education; authorizing the state board of education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the board; and providing penalties for violations.

Was taken up.

Mr. Cherner offered the following amendment to the bill, H. 270:

Amend Sec. 3 by adding Subsection

"(i) Private schools or academies, whether incorporated or not, which offer educational studies or courses of study parallel or similar in nature and scope to the course of study, or any portion thereof, offered through Grade 12 in the public school system of Alabama."

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Pennington
Agee	Dobbs	Jackson (T)	Perloff
Bank	Downing	Jones	Pruitt
Bassett	Fine	Kilgore	Robertson
Beck	Gafford	Laxson	Sessions
Berryman (W)	Garrett	Lemley	Shumate
Blanton	Gloor	Malone	Starnes
Bowers	Graham	Manley	Steagall
Brannan	Grainger	Marr	Stembridge
Brassell	Grayson	Mays	Stubbs
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Meeks	Turnham
Cherner	Harper	Melton	Watkins
Collier	Harris	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wright
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	

—71

And the bill, H. 270, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Agee	Fine	Jones	Pennington
Bank	Foshee	Kilgore	Perloff
Bassett	Gafford	Laxson	Pruitt
Beck	Gloor	Lemley	Robertson
Berryman (W)	Graham	Malone	Sessions
Blanton	Grainger	Manley	Shumate
Bowers	Grayson	Mathews	Starnes
Brannan	Hain	Mays	Steagall
Brassell	Hardin	Meade	Stembridge
Burgess	Harper	Meeks	Stubbs
Burgreen	Harris	Melton	Tuck
Cherner	Headley	Merrill	Turnham
Collier	Higginbotham	Money	Watkins
Crawford	Hill	Nettles	Weeks
Culver	Holman	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs			

—69

MOTION TO BRING UP H. 755

On motion of Mr. McDonald, the rules were suspended and permission granted to bring up out of order the bill, H. 755.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker	Drake	Holman	Owens (W)
Agee	Edington	Jackson (F)	Pearson
Bassett	Fine	Jones	Pruitt
Beck	Foshee	Kilgore	Robertson
Berryman (W)	Gafford	Laxson	Sessions
Brannan	Graham	Lemley	Shumate
Brassell	Grainger	Manley	Snell
Burgess	Grayson	Mathews	Starnes
Burgreen	Hain	Mays	Steagall
Collier	Hardin	Meade	Stubbs
Crane	Harper	Meeks	Tuck
Crawford	Haygood	Melton	Turnham
Culver	Headley	Merrill	Watkins
Dill	Hill	Money	Weeks
Dobbs	Holladay	Owen (Baldwin)	Williams
Downing			—61

Nays: Messrs. Collins (W) and Perloff —2

And the bill:

H. 755 (with amendment). To make an appropriation from the state treasury to the use of the State Department of Education in matching funds provided by the Daughters of the American Revolution for capital outlay purposes at the Kate Duncan Smith School at Grant, Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 755 by adding the following at the end of Section 1 of said bill:

"The appropriation made herein is conditional upon the condition of the Alabama Special Educational Trust Fund, as ascertained by the Governor, and shall be released only upon orders of the Governor."

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Drake	Harper
Agee	Collier	Edington	Harris
Bank	Collins (W)	Fine	Haygood
Bassett	Crane	Foshee	Hill
Beck	Crawford	Graham	Jackson (F)
Berryman (W)	Culver	Grainger	Jones
Brannan	Dill	Grayson	Kilgore
Brassell	Dobbs	Hain	Laxson
Burgess	Downing	Hardin	Lemley

Malone	Melton	Robertson	Stubbs
Manley	Merrill	Sessions	Tuck
Marr	Money	Shumate	Turnham
Mathews	Owen (Baldwin)	Snell	Watkins
Mays	Owens (W)	Starnes	Weeks
Meade	Pearson	Steagall	Williams
Meeks	Pruitt		

—62

And the bill, H. 755, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Owens (W)
Agee	Downing	Kilgore	Pearson
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Fine	Malone	Sessions
Berryman (W)	Foshee	Manley	Shumate
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mathews	Starnes
Burgess	Grayson	Mays	Steagall
Burgreen	Hain	Meade	Stubbs
Collier	Hardin	Meeks	Tuck
Collins (W)	Harper	Melton	Turnham
Crane	Harris	Merrill	Watkins
Crawford	Haygood	Money	Weeks
Culver	Hill	Owen (Baldwin)	Williams
Dill	Jackson (F)		

—62

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Engel and Pelham:

S. J. R. 81. WHEREAS, the Honorable Leroy Stevens was elected in 1968 by the people of Mobile County to his seventh consecutive term of office as a member of the Mobile County Commission; he was first elected to this body (then known as the Mobile County Board of Revenue and Road Commissioners) in 1942 and has been returned to office ever since; and

WHEREAS, Mr. Stevens has served as Chairman and President of the Mobile County governing body from the death of the Honorable A. B. Jefferies in 1954 until January, 1969, a period of over fourteen years, during which time Mobile County has experienced substantial increases in population and industrial growth and has enjoyed a period of economic progress and growth unsurpassed in its previous history, no small part of which is attributed to the leadership of this dedicated public official; and

WHEREAS, Leroy Stevens has devoted his entire working life to the County of Mobile, having gone to work for Mobile County in 1913 as a common laborer and advancing through the ranks over the years to the positions of truck driver, foreman and road superintendent, and

finally as an elected member of the county governing body and its Chairman for over fourteen years; and

WHEREAS, upon completion of his current term of office in 1972, Mr. Stevens will have completed fifty-nine years of service to Mobile County, including thirty years of elected public service on his county's governing body; and

WHEREAS, the people of Mobile County are deeply appreciative and grateful to this dedicated public servant for his outstanding record of service to their county; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that we extend the commendation of the Legislature of Alabama to the Honorable Leroy Stevens for his many years of dedicated service to the people of Mobile County and by virtue thereof, to the State of Alabama.

BE IT FURTHER RESOLVED, that the Honorable Leroy Stevens be, and he is hereby, designated Chairman Emeritus of the Mobile County Commission in recognition of his outstanding record of public service.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mrs. Collins (C), the rules were suspended and the House concurred in and adopted the S. J. R. 81 set out in the above and foregoing Message from the Senate.

MOTION TO BRING UP S. 44

On motion of Mrs. Collins (C), the rules were suspended and permission granted to bring up the bill, S. 44, out of order.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holladay	Money
Agee	Downing	Holman	Nettles
Bank	Drake	House	Owens (W)
Bassett	Edington	Jackson (F)	Pennington
Beck	Fine	Jackson (T)	Perloff
Berryman (W)	Foshee	Jones	Robertson
Brannan	Gafford	Kilgore	Sessions
Brassell	Garrett	Lemley	Slate
Burgess	Graham	Lybrand	Snell
Burgreen	Grainger	Manley	Starnes
Cameron	Grayson	Marr	Stubbs
Cherner	Hain	Mathews	Tuck
Collier	Hardin	Mays	Waggoner
Collins (W)	Harper	McElhaney	Watkins
Crane	Harris	Meeks	Williams
Crawford	Higginbotham	Melton	Wright
Culver	Hill	Merrill	Yeilding
Dill	Hobbie		

—70

And the bill:

S. 44. To Regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws

Of This State In Connection With Certain Individual and Group Contracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owen (Baldwin)
Agee	Dobbs	House	Owens (W)
Bank	Downing	Jackson (F)	Pennington
Bassett	Edington	Jackson (T)	Perloff
Beck	Fine	Jones	Pruitt
Berryman (W)	Foshee	Kilgore	Robertson
Brannan	Garrett	Laxson	Sessions
Brassell	Graham	Lemley	Slate
Burgess	Grainger	Lybrand	Snell
Burgreen	Grayson	Manley	Starnes
Cameron	Hardin	Marr	Stubbs
Cherner	Harper	Mays	Tuck
Collier	Harris	McElhaney	Watkins
Collins (W)	Higginbotham	Meeks	Williams
Crane	Hill	Melton	Wright
Crawford	Hobbie	Merrill	Yeilding
Culver	Holladay	Nettles	

—67

MOTION TO BRING UP H. 712

On motion of Mr. House, the rules were suspended and permission granted to bring up out of order the bill, H. 712.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hill	Nettles
Agee	Downing	Hobbie	Owens (W)
Bank	Drake	Holman	Pennington
Bassett	Edington	House	Perloff
Beck	Fine	Jackson (F)	Robertson
Berryman (W)	Foshee	Jackson (T)	Sessions
Brannan	Gafford	Jones	Slate
Brassell	Garrett	Kilgore	Snell
Burgess	Gloor	Laxson	Starnes
Burgreen	Graham	Lemley	Stubbs
Cameron	Grainger	Lybrand	Tuck
Cherner	Grayson	Manley	Waggoner
Collier	Hain	Mays	Watkins
Crane	Hardin	Meeks	Williams
Crawford	Harper	Melton	Wright
Culver	Headley	Merrill	Yeilding
Dill	Higginbotham	Money	

—67

And the bill:

H. 712. To prohibit and provide appropriate penalties for the removal, falsification or alteration of motor vehicle or engine identification numbers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	Hill	Nettles
Agee	Drake	Hobbie	Owens (W)
Bassett	Edington	Holman	Pennington
Beck	Fine	House	Perloff
Berryman (W)	Foshee	Jackson (F)	Robertson
Brannan	Gafford	Jackson (T)	Sessions
Brassell	Garrett	Jones	Slate
Burgess	Gloor	Kilgore	Smith
Burgreen	Graham	Laxson	Snell
Cameron	Grainger	Lemley	Starnes
Cherner	Grayson	Manley	Stubbs
Collier	Hain	Mathews	Tuck
Collins (C)	Hardin	Mays	Waggoner
Crane	Harper	McElhaney	Watkins
Crawford	Harris	Meeks	Weeks
Culver	Haygood	Melton	Williams
Dill	Headley	Merrill	Wright
Dobbs	Higginbotham	Money	Yeilding

—72

MOTION TO BRING UP H. 1319

On motion of Mr. Ellis, the rules were suspended and permission granted to bring up the bill, H. 1319, out of order.

Yeas 57; Nay 1.

Yeas:

Mr. Speaker	Doss	House	Nettles
Agee	Downing	Jackson (F)	Owens (W)
Bassett	Fine	Jackson (T)	Pennington
Beck	Foshee	Jones	Perloff
Berryman (W)	Gafford	Kilgore	Robertson
Bolton	Garrett	Laxson	Slate
Brannan	Grainger	Lemley	Snell
Brassell	Grayson	Mathews	Starnes
Burgess	Hain	Mays	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Cherner	Harper	Meade	Waggoner
Crane	Harris	Melton	Weeks
Culver	Haygood	Merrill	Williams
Dill	Holman	Money	Yeilding
Dobbs			

—57

Nay: Mr. Meeks

—1

And the bill:

H. 1319. To create a junior college board; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Money
Agee	Dobbs	House	Nettles
Bassett	Downing	Jackson (F)	Owens (W)
Beck	Ellis	Jackson (T)	Pearson
Berryman (W)	Fine	Jones	Pennington
Bolton	Foshee	Kilgore	Perloff
Bowers	Garrett	Laxson	Robertson
Brannan	Grainger	Lemley	Sessions
Brassell	Grayson	Mathews	Slate
Burgess	Hardin	Mays	Snell
Burgreen	Harper	McCorquodale	Starnes
Cherner	Harris	McDonald	Tuck
Collier	Haygood	Meade	Weeks
Crane	Higginbotham	Melton	Wright
Crawford	Hill	Merrill	Yeilding
Culver			

—61

MOTION TO BRING UP H. 422 AND H. 424

On motion of Mr. Bank, the rules were suspended and permission granted to bring up out of order the bills, H. 422 and H. 424.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Fine	Jackson (T)	Pennington
Bassett	Foshee	Jones	Perloff
Beck	Gafford	Kilgore	Robertson
Berryman (W)	Garrett	Laxson	Sessions
Bolton	Grainger	Lemley	Slate
Bowers	Grayson	Lybrand	Snell
Brannan	Hain	Mathews	Springer
Brassell	Hardin	Mays	Starnes
Burgess	Harper	McCorquodale	Steagall
Burgreen	Harris	McElhaney	Stubbs
Cherner	Haygood	Meade	Tuck
Collier	Headley	Melton	Waggoner
Crawford	Higginbotham	Merrill	Weeks
Culver	Hill	Money	Williams
Dill	Holladay	Nettles	Yeilding
Dobbs	Holman	Owens (W)	Young
Doss	House		

—70

And the bill:

H. 422 (with amendment). To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to the next of kin of certain persons who have died or who hereafter die while in the active service of the Armed Forces of the United States during a prescribed period when the United States was, is or shall be engaged in hostilities with a foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the state department of veterans' affairs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Nettles
Agee	Downing	Jones	Owen (Baldwin)
Bassett	Drake	Kilgore	Owens (W)
Beck	Fine	Laxson	Pennington
Berryman (W)	Foshee	Lemley	Perloff
Bowers	Garrett	Lybrand	Robertson
Brannan	Grayson	Manley	Sessions
Brassell	Hardin	Mathews	Smith
Burgess	Harper	Mays	Snell
Burgreen	Harris	McCorquodale	Springer
Cameron	Haygood	McDonald	Starnes
Cherner	Headley	McElhaney	Steagall
Collier	Higginbotham	McLain	Stubbs
Crawford	Hill	Meade	Tuck
Culver	Hobbie	Melton	Weeks
Dill	Holman	Merrill	Williams
Dobbs	Jackson (F)	Money	Young

—68

And the bill:

H. 424 (with amendment). To provide for and regulate the payment from the general fund in the state treasury of a bouns to certain prisoners of war who were captured while serving within a prescribed period in the Armed Forces when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the State Department of Veterans' Affairs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Neville
Agee	Downing	Jackson (T)	Owen (Baldwin)
Bassett	Drake	Jones	Owens (W)
Beck	Ellis	Kilgore	Pearson
Berryman (W)	Fine	Laxson	Pennington
Blanton	Foshee	Lemley	Perloff
Bowers	Gafford	Lybrand	Robertson
Brannan	Garrett	Malone	Sessions
Brassell	Gloor	Mays	Smith
Burgess	Grayson	McCorquodale	Snell
Burgreen	Hardin	McDonald	Springer
Cameron	Harper	McElhaney	Starnes
Cherner	Harris	McLain	Steagall
Collier	Haygood	Meade	Stubbs
Crawford	Headley	Melton	Tuck
Culver	Higginbotham	Merrill	Weeks
Dill	Hill	Money	Williams
Dobbs	Hobbie	Nettles	Young

—72

MOTION TO BRING UP H. 1307

On motion of Mr. McLain, the rules were suspended and permission granted to bring up out of order the bill, H. 1307.

Yeas 71; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owen (Baldwin)
Agee	Dobbs	Jones	Pearson
Bassett	Doss	Kilgore	Pennington
Beck	Downing	Laxson	Perloff
Berryman (W)	Drake	Lemley	Pruitt
Blanton	Ellis	Lybrand	Robertson
Bolton	Fine	Malone	Sessions
Bowers	Foshee	Mathews	Slate
Brannan	Garrett	Mays	Smith
Brassell	Grayson	McDonald	Snell
Burgess	Hain	McElhaney	Starnes
Burgreen	Hardin	McLain	Stubbs
Cameron	Harper	Meade	Tuck
Cherner	Harris	Melton	Weeks
Collier	Higginbotham	Merrill	Williams
Crane	Hill	Money	Wright
Crawford	Hobbie	Nettles	Young
Culver	Jackson (F)	Neville	

—71

Nay: Mr. Owens (W)

—1

And the bill:

H. 1307. Relating to all incorporated cities and towns within the State of Alabama; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; authorizing said cities and towns to provide by ordinance for the levy and assessment of an excise tax or use tax parallel to the State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements, provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that said cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy, is otherwise provided for by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the

State Department of Revenue under the provisions and procedures provided for by Act No. 203, H. 99, Special Session 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Owens (W)
Agee	Ellis	Laxson	Pearson
Bassett	Fine	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Gloor	Mathews	Robertson
Bowers	Grainger	Mays	Sessions
Brannan	Grayson	McCorquodale	Slate
Brassell	Hain	McDonald	Smith
Burgess	Hardin	McElhaney	Snell
Burgreen	Harper	McLain	Starnes
Cameron	Harris	Meade	Steagall
Collier	Haygood	Meeks	Stubbs
Crane	Higginbotham	Melton	Tuck
Crawford	Hill	Merrill	Turnham
Culver	Hobbie	Money	Weeks
Dill	Holman	Nettles	Williams
Dobbs	Jackson (F)	Neville	Wright
Doss	Jackson (T)	Owen (Baldwin)	Young
Downing	Jones		

—78

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until twelve o'clock Noon on Thursday, August 14, 1969, was lost.

Yeas 12; Nays 70.

Yeas:

Messrs.:	Crane	Merrill	Springer
Brassell	Dill	Perloff	Tuck
Brown	Manley	Slate	Weeks
Burgreen			

—12

Nays:

Mr. Speaker	Doss	House	Nettles
Agee	Downing	Jackson (F)	Neville
Bank	Drake	Jackson (T)	Owen (Baldwin)
Bassett	Ellis	Jones	Owens (W)
Beck	Foshee	Kilgore	Pennington
Berryman (W)	Gafford	Laxson	Robertson
Blanton	Garrett	Lybrand	Sessions
Bolton	Gloor	Malone	Smith
Bowers	Grainger	Mays	Snell
Brannan	Grayson	McCorquodale	Starnes
Burgess	Hardin	McDonald	Steagall
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	McLain	Turnham
Collier	Haygood	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Wright
Cook (Jefferson)	Hill	Melton	Yeilding
Culver	Hobbie	Money	Young
Dobbs	Holman		

—70

MOTION TO BRING UP H. 1308

On motion of Mr. McLain, the rules were suspended and permission granted to bring up out of order the bill, H. 1308.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Downing	Laxson	Owen (Baldwin)
Agee	Drake	Lemley	Pearson
Bassett	Ellis	Lybrand	Pennington
Beck	Fine	Malone	Perloff
Berryman (W)	Grainger	Mathews	Robertson
Blanton	Grayson	Mays	Sessions
Bowers	Hain	McCorquodale	Smith
Brannan	Hardin	McDonald	Snell
Brassell	Harper	McElhaney	Starnes
Burgess	Harris	McLain	Stembridge
Burgreen	Haygood	Meade	Stubbs
Cameron	Higginbotham	Meeks	Tuck
Cherner	Hill	Melton	Weeks
Collier	Hobbie	Merrill	Williams
Culver	Jackson (F)	Money	Wright
Dill	Jackson (T)	Nettles	Young
Dobbs	Jones	Neville	

—67

Nay: Mr. Foshee

—1

And the bill:

H. 1308. To provide that all municipalities and all counties levying an excise or privilege license tax upon the sale, use or consumption, distribution, storage or withdrawal from storage, of gasoline or motor fuel may require that where the tax has been paid to the municipality or county by a distributor, refiner, or by any retail dealer, storer, or user, such payment shall be sufficient, the intent being that the tax shall be borne by the consumer and paid to the municipality or county but once.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owen (Baldwin)
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Malone	Sessions
Brannan	Grainger	Mathews	Slate
Brassell	Grayson	Mays	Smith
Burgess	Hain	McCorquodale	Snell
Burgreen	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Steagall
Cherner	Harris	McLain	Stembridge
Collier	Haygood	Meade	Stubbs
Collins (W)	Higginbotham	Meeks	Tuck
Crawford	Hill	Melton	Weeks
Culver	Hobbie	Merrill	Williams
Dill	Holman	Money	Wood
Dobbs	Jackson (F)	Nettles	Wright
Doss	Jackson (T)	Neville	Young

—76

MOTION TO BRING UP H. 749

On motion of Mr. Waggoner, the rules were suspended and permission granted to bring up the bill, H. 749, out of order.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Drake	Jones	Pearson
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Laxson	Robertson
Beck	Fine	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Slate
Brannan	Gafford	Malone	Smith
Brassell	Grayson	Manley	Snell
Burgess	Hain	Marr	Starnes
Burgreen	Hardin	Mathews	Steagall
Cameron	Harper	Mays	Stembridge
Cherner	Harris	McDonald	Stubbs
Collier	Haygood	McElhanev	Tuck
Collins (C)	Higginbotham	Meade	Watkins
Collins (W)	Hill	Melton	Weeks
Culver	Hobbie	Merrill	Wood
Dill	Holman	Money	Wright
Dobbs	Jackson (F)	Nettles	Yeilding
Downing	Jackson (T)	Owen (Baldwin)	Young

—72

Nays: Messrs. Neville, Owens (W) and Pennington.

—3

And the bill:

H. 749. To prohibit the discharge of litter and sewage and certain other materials from a watercraft into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toilets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid into the General Fund and to provide for expenditures of funds for carrying out this Act from Federal Funds or other funds available to the Board of Health or state.

Was taken up.

Mr. Waggoner offered the following amendment to the bill, H. 749:

Amend said bill as follows:

Add to Section 5 the following: "All rules and regulations or orders adopted and effective under the provisions of this act pertaining to marine toilets-standards will be compatible with Federal standards for the sake of uniformity".

Delete Section 7 in its entirety.

Re-designate Sections 8 through 14 so as to read Sections 7 through 13.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Agee	Edington	Jones	Pearson
Beck	Fine	Kilgore	Perloff
Berryman (W)	Foshee	Laxson	Robertson
Blanton	Gafford	Lemley	Sessions
Brannan	Grainger	Manley	Slate
Brassell	Grayson	Mathews	Smith
Burgess	Hain	Mays	Snell
Burgreen	Hardin	McCorquodale	Starnes
Cameron	Harper	McDonald	Steagall
Cherner	Harris	McElhaney	Stembridge
Collier	Haygood	Meade	Stubbs
Collins (C)	Higginbotham	Meeks	Tuck
Crane	Hill	Melton	Watkins
Culver	Hobbie	Merrill	Weeks
Dill	Holladay	Money	Wood
Dobbs	Holman	Nettles	Wright
Doss	House	Neville	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	Young

—76

Mr. Holladay was granted unanimous consent to add his name as co-sponsor to the bill, H. 749.

And the bill, H. 749, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56, Nays 3.

Yeas:

Messrs.:	Drake	House	Merrill
Agee	Edington	Jones	Nettles
Beck	Ellis	Kilgore	Neville
Berryman (W)	Fine	Lemley	Owens (W)
Blanton	Hain	Malone	Pearson
Brannan	Hardin	Manley	Perloff
Brassell	Harper	Marr	Robertson
Burgess	Harris	Mathews	Smith
Cameron	Haygood	Mays	Starnes
Cherner	Higginbotham	McCorquodale	Stembridge
Collier	Hill	McDonald	Stubbs
Crane	Hobbie	McElhaney	Watkins
Culver	Holladay	Meeks	Wright
Dobbs	Holman	Melton	Young
Downing			

—56

Nays: Messrs. Bolton, Grayson and Williams

—3

MOTION TO BRING UP S. 311

On motion of Mr. Headley, the rules were suspended and permission granted to bring up out of order the bill, S. 311.

Yeas 66; Nays 6.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Neville
Agee	Drake	Jones	Owen (Baldwin)
Bassett	Edington	Kilgore	Owens (W)
Beck	Ellis	Laxson	Perloff
Berryman (W)	Fine	Lemley	Robertson
Blanton	Grainger	Lybrand	Sessions
Bowers	Grayson	Malone	Slate
Brannan	Hardin	Manley	Smith
Brassell	Harper	Marr	Snell
Burgess	Harris	Mathews	Starnes
Burgreen	Haygood	McDonald	Stembridge
Cameron	Higginbotham	McElhaney	Stubbs
Cherner	Hill	McLain	Tuck
Collier	Hobbie	Meade	Weeks
Collins (C)	Holladay	Melton	Williams
Crane	Holman	Merrill	Wright
Dobbs	House		

—66

Nays:

Messrs.:	Downing	Lyons	Nettles
Dill	Jackson (T)	McCorquodale	

—6

And the bill:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Was read a third time at length and passed.

Yeas 70; Nays 6.

Yeas:

Mr. Speaker	Edington	House	Neville
Agee	Ellis	Jackson (F)	Owen (Baldwin)
Bassett	Fine	Jones	Owens (W)
Beck	Foshee	Kilgore	Pearson
Berryman (W)	Garrett	Laxson	Perloff
Blanton	Grainger	Lemley	Robertson
Bowers	Grayson	Lybrand	Sessions
Brannan	Hain	Malone	Slate
Brassell	Hardin	Manley	Smith
Burgess	Harper	McCorquodale	Snell
Burgreen	Harris	McDonald	Starnes
Cameron	Haygood	McElhaney	Steagall
Cherner	Headley	McLain	Stembridge
Collier	Higginbotham	Meade	Stubbs
Crane	Hill	Melton	Tuck
Dobbs	Hobbie	Merrill	Williams
Doss	Holladay	Money	Young
Drake	Holman		

—70

Nays:

Messrs.:	Gafford	Lyons	Nettles
Downing	Jackson (T)	Marr	

—6

MOTION TO BRING UP H. 825

On motion of Mr. Gloor, the rules were suspended and permission granted to bring up out of order the bill, H. 825.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Nettles
Agee	Dobbs	House	Neville
Bank	Downing	Jackson (F)	Owens (W)
Bassett	Drake	Jackson (T)	Perloff
Beck	Edington	Kilgore	Robertson
Berryman (W)	Ellis	Laxson	Sessions
Blanton	Fine	Lemley	Slate
Bowers	Foshee	Lybrand	Smith
Brannan	Gafford	Lyons	Snell
Brassell	Gloor	Malone	Starnes
Burgess	Grainger	Manley	Steagall
Burgreen	Grayson	Marr	Stembridge
Cameron	Hain	Mays	Stubbs
Cherner	Hardin	McCorquodale	Tuck
Collier	Harper	McElhaney	Watkins
Collins (C)	Harris	Meade	Weeks
Collins (W)	Haygood	Meeks	Williams
Crane	Higginbotham	Melton	Wright
Crawford	Hill	Merrill	Yeilding
Culver	Hobbie	Money	Young

—80

And the bill:

H. 825. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent racetrack or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Crane	Harris	Manley
Agee	Crawford	Haygood	Marr
Bank	Culver	Higginbotham	Mays
Bassett	Dill	Hill	McCorquodale
Beck	Dobbs	Hobbie	McElhaney
Berryman (W)	Downing	Holman	Meade
Blanton	Drake	House	Meeks
Bowers	Ellis	Jackson (F)	Melton
Brannan	Fine	Jackson (T)	Merrill
Brassell	Foshee	Jones	Money
Burgess	Gloor	Kilgore	Nettles
Burgreen	Grainger	Laxson	Neville
Cameron	Grayson	Lemley	Owen (Baldwin)
Cherner	Hain	Lybrand	Owens (W)
Collier	Hardin	Lyons	Pearson
Collins (W)	Harper	Malone	Perloff

Robertson	Snell	Stubbs	Williams
Sessions	Starnes	Tuck	Wright
Slate	Steagall	Watkins	Yeilding
Smith	Stembridge	Weeks	Young

—80

Nay: Mr. Garrett —1

Mr. Ellis was granted unanimous consent to add his name as co-sponsor to the bill, H. 825.

MOTION TO BRING UP H. 975

On motion of Mr. Hobbie, the rules were suspended and permission granted to bring up out of order the bill, H. 975.

Yeas 58; Nays 6.

Yeas:

Messrs.:	Crane	Headley	Melton
Bank	Culver	Higginbotham	Merrill
Bassett	Dill	Hill	Nettles
Beck	Dobbs	Hobbie	Owens (W)
Berryman (W)	Downing	Holman	Robertson
Blanton	Drake	Jackson (F)	Sessions
Brannan	Edington	Jones	Starnes
Brassell	Ellis	Laxson	Stembridge
Burgess	Fine	Lemley	Stubbs
Burgreen	Foshee	Lybrand	Tuck
Cameron	Grayson	Marr	Weeks
Cherner	Hain	Mays	Williams
Collier	Hardin	McDonald	Wright
Collins (W)	Harper	McElhaney	Young
Cook (Coffee)	Harris	Meade	

—58

Nays:

Messrs.:	Lyons	Manley	Pruitt
Jackson (T)	Malone	Perloff	

—6

And the bill:

H. 975. Providing further for payment of the salaries of state officers and employees; amending Section 148, Title 41, Code 1940.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Agriculture, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Providing further for payment of the salaries of state officers and employees, amending Section 148, Title 41, Code 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 41, Section 148, is amended to read as follows:

"Section 148. The salaries of all officers and employees of the State of Alabama shall be payable biweekly, on Friday of every other week,

except where such day is a holiday, in which case such salaries shall be payable on the last working day preceding such holiday. Every state officer or employee whose salary is fixed in accordance with the pay plan of the state merit system shall be entitled to receive one-half of his monthly salary, as prescribed in the pay plan, at the end of each such pay period. The annual salary of every other officer or employee shall be paid in twenty-six equal installments, such installments to be paid as herein provided. Any unpaid salaries may be paid upon the expiration of the term of employment of the officer or employee."

Section 2. If at the end of a fiscal year a pay period overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective on October 1, 1970.

And the substitute was adopted.

Yeas 67; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Neville
Agee	Downing	Jones	Owen (Baldwin)
Bank	Drake	Kilgore	Owens (W)
Beck	Edington	Laxson	Pearson
Berryman (W)	Ellis	Lemley	Perloff
Blanton	Fine	Lybrand	Smith
Brannan	Foshee	Lyons	Snell
Brassell	Grainger	Malone	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Harper	McElhanev	Stembridge
Burgreen	Harris	McLain	Stubbs
Cameron	Headley	Meade	Tuck
Collier	Higginbotham	Meeks	Williams
Collins (W)	Hill	Melton	Wood
Cook (Coffee)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Young
Culver	Holman	Nettles	

—67

Nays: Messrs. Cherner, Dill and Jackson (T)

—3

And the bill:

H. 975. Providing further for payment of the salaries of state officers and employees, amending Section 148, Title 41, Code 1940.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Brassell	Crane	Foshee
Agee	Brown	Culver	Gafford
Bank	Burgess	Dobbs	Grainger
Bassett	Burgreen	Downing	Grayson
Beck	Cameron	Drake	Hardin
Berryman (W)	Collier	Edington	Harper
Blanton	Collins (W)	Ellis	Harris
Brannan	Cook (Coffee)	Fine	Haygood

Headley	Lemley	Meeks	Snell
Higginbotham	Lybrand	Melton	Starnes
Hill	Lyons	Merrill	Steagall
Hobbie	Malone	Money	Stembridge
Holladay	Manley	Nettles	Stubbs
Holman	Marr	Neville	Tuck
Jackson (F)	Mays	Owen (Baldwin)	Williams
Jackson (T)	McCorquodale	Owens (W)	Wood
Jones	McElhaney	Pearson	Wright
Kilgore	McLain	Smith	Young
Laxson	Meade		

—74

Nays: Messrs. Crawford and Dill

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. O'Bannon, Albea and Morrow.

McDOWELL LEE,
Secretary.

UNANIMOUS CONSENT AS CO-SPONSORS

At the request of Messrs. Robertson, Collier, Meade, Bank, Garrett, Doss and Grainger, unanimous consent was granted that they be added as co-sponsors to the bill, H. 975.

MOTION TO BRING UP H. 1327 LOST

The motion of Mr. Hobbie to suspend the rules and bring up out of order the bill, H. 1327, was lost.

Yeas 46; Nays 23.

Yeas:

Mr. Speaker	Collier	Hardin	Meade
Bank	Collins (C)	Harris	Melton
Bassett	Culver	Headley	Neville
Beck	Dobbs	Higginbotham	Owen (Baldwin)
Berryman (W)	Doss	Hobbie	Pearson
Blanton	Downing	Jackson (F)	Pennington
Brannan	Drake	Jones	Robertson
Brassell	Edington	Laxson	Shumate
Brown	Fine	Mays	Springer
Burgreen	Garrett	McElhaney	Stubbs
Cameron	Grainger	McLain	Weeks
Cherner	Grayson		

—46

Nays:

Messrs.:	Foshee	Lyons	Owens (W)
Agee	Gafford	Malone	Perloff
Cook (Jefferson)	Hain	Manley	Stembridge
Crawford	Jackson (T)	McCorquodale	Wood
Dill	Kilgore	Merrill	Wright
Ellis	Lemley	Nettles	Yeilding

—23

RECESS

On motion of Mr. Lybrand, the House recessed for ten minutes.

HOUSE RECONVENES

At the end of ten minutes, the House reconvened, and the Speaker called the House to order.

MOTION TO RECONSIDER H. 422 and H. 424

Having voted with the prevailing side, Mr. Bank moved to reconsider the vote by which the bills, H. 422, and H. 424, were passed, and the motion was adopted.

And the bill:

H. 422 (with amendment). To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to the next of kin of certain persons who have died or who hereafter die while in the active service of the Armed Forces of the United States during a prescribed period when the United States was, is or shall be engaged in hostilities with a foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the state department of veterans' affairs.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 422 by adding the following at the end of Section 6 of said bill:

"Provided, however, the total warrants issued shall not exceed \$10,000.00 in any one year."

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owen (Baldwin)
Agee	Dobbs	Jackson (F)	Owens (W)
Bank	Downing	Jackson (T)	Paulk
Bassett	Drake	Laxson	Pearson
Beck	Edington	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Pruitt
Blanton	Foshee	Lyons	Robertson
Brannan	Garrett	Malone	Sessions
Brown	Grayson	McElhaney	Smith
Burgreen	Hain	Meade	Steagall
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Williams
Cook (Coffee)	Harris	Money	Wood
Culver	Headley	Nettles	Wright

—56

And the bill, H. 422, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Melton
Agee	Downing	House	Merrill
Bank	Drake	Jackson (F)	Nettles
Bassett	Edington	Jackson (T)	Owen (Baldwin)
Beck	Fine	Jones	Owens (W)
Berryman (W)	Foshee	Laxson	Paulk
Blanton	Garrett	Lemley	Pearson
Brannan	Grainger	Lybrand	Pruitt
Brown	Grayson	Lyons	Robertson
Burgreen	Hain	Malone	Sessions
Collier	Hardin	Manley	Smith
Collins (C)	Harper	McCorquodale	Steagall
Cook (Coffee)	Harris	McElhaney	Turnham
Culver	Headley	McLain	Williams
Dill	Hobbie	Meade	Wright

—60

And the bill:

H. 424 (with amendment). To provide for and regulate the payment from the general fund in the state treasury of a bonus to certain prisoners of war who were captured while serving within a prescribed period in the Armed Forces when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the State Department of Veterans' Affairs.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 424 by adding the following at the end of Section 6 of said bill:

"Provided, however, the total warrants issued shall not exceed \$5,000.00 in any one year."

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Merrill
Agee	Drake	Jackson (F)	Nettles
Bank	Edington	Jackson (T)	Owen (Baldwin)
Bassett	Fine	Jones	Owens (W)
Beck	Foshee	Laxson	Pearson
Berryman (W)	Garrett	Lemley	Perloff
Blanton	Grainger	Lybrand	Pruitt
Brannan	Grayson	Lyons	Robertson
Brown	Hain	Malone	Sessions
Burgreen	Hardin	Manley	Smith
Collier	Harper	Marr	Steagall
Collins (C)	Harris	McCorquodale	Turnham
Cook (Coffee)	Haygood	McElhaney	Williams
Culver	Headley	McLain	Wood
Dill	Hobbie	Meade	Wright
Dobbs	Holman	Melton	

—63

And the bill, H. 424, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Merrill
Agee	Drake	Jackson (T)	Money
Bank	Edington	Jones	Nettles
Bassett	Fine	Laxson	Owen (Baldwin)
Beck	Foshee	Lemley	Owens (W)
Berryman (W)	Gloor	Lybrand	Pearson
Blanton	Grainger	Lyons	Perloff
Bolton	Grayson	Malone	Pruitt
Brannan	Hain	Manley	Robertson
Brown	Hardin	Marr	Sessions
Burgreen	Harper	Mays	Steagall
Collier	Harris	McCorquodale	Stubbs
Collins (C)	Haygood	McElhaney	Turnham
Cook (Coffee)	Headley	McLain	Williams
Culver	Holman	Meade	Wood
Dill	House	Melton	Wright
Dobbs			

—65

BILLS ON THIRD READING

And the bill:

H. 35. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Was taken up.

Mr. Graham offered the following substitute to the bill, H. 35:

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply to all counties in this state having populations of not less than 46,500 nor more than 48,000 according to the most recent federal decennial census.

Section 2. Any three contiguous cities lying wholly within any such county shall consolidate so as to include within the corporate limits of one city all that territory within the corporate limits of the three cities so consolidated if at an election held as herein provided the majority of voters within each of such cities separately favors such

consolidation. Such newly created city shall succeed to all the powers, obligations, duties, rights of action, property, and rights of property that belonged to or appertained to the three cities consolidated therein and shall have all the rights, powers, and privileges delegated to cities under the general law. All suits pending in favor or against each of these cities when this act becomes effective shall continue to judgment unaffected by the abolition of such city and may be enforced in favor of or against the city created from the consolidation or merger of such cities, the same as if commenced by or against the consolidated city. The newly created city shall collect all taxes or other obligations due the cities consolidated therein and disburse the same.

Section 3. (a) An election to determine whether such cities shall be consolidated shall be held sixty days after the passage and approval of this act or it otherwise becomes law. The judge of probate shall order and provide for holding such election.

(b) The judge of probate of any such county shall give notice of the holding of such election by publication in a newspaper in each of the cities coming under this act and if no newspaper is published in any such city, in a newspaper having general circulation therein, which notice shall be published once a week for three successive weeks before the day of the election. Said notice shall state the day on which such election is to be held, the voting places designated, the boundaries within which voters must reside to vote at the respective voting places which must be within the corporate limits of the cities coming under this act and such notice must give a description of the territory to be consolidated or merged into one city.

(c) The judge of probate shall designate as many places within such cities as he shall deem necessary and must designate the boundaries within which the voters must reside to vote at the respective voting places, and shall appoint such inspectors, clerks, and returning officers as he deems necessary for each voting place.

(d) Each qualified elector who has resided within the municipal boundaries of any one of such cities for three months next preceding the election may vote at such election; but must vote at the voting place designated by the judge of probate for voters in the territory in which he resides.

(e) The election provided for herein must be conducted in all respects as provided by the general election laws, and under the same sanctions and penalties except as changed by the provisions hereof.

(f) The judge of probate of any such county shall cause to be prepared necessary election supplies, including ballots, and the costs of these supplies shall be paid for by the three cities involved. The question to be printed on the ballot shall be substantially as follows: "Shall the cities of _____ and _____ be consolidated into one municipality? Yes _____ No _____."

(g) The inspectors of the several voting places must, as soon as the polls are closed, ascertain and certify the results of the election to the judge of probate, and the judge of probate shall canvass the returns made. If the majority of the votes cast within each city separately are "Yes," this act shall become operative and such cities shall consolidate as herein provided. If the majority of the votes cast are "No," within any such city this act shall become inoperative. The judge of probate shall certify the results of the election to the secretary of state within 30 days of the determination thereof.

(h) The judge of probate of such county shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services ren-

dered by him in county elections, and all other officers shall be entitled to like compensation for services rendered by them as they are authorized by law to charge and collect for similar services rendered by them in regular county elections, all of which shall be paid by the three cities on a pro rata basis; each city paying such proportionate part of the expenses as its population bears to the combined population of the three cities. The judge of probate shall bill each city for its pro rata share and it shall be the duty of the cities to pay the county within thirty days the amount so assessed against them.

Section 4. If the majority of votes cast in each city at the election provided for in Section 3 hereof are "Yes," the officers of the cities to be consolidated shall continue in office and the corporate organization of such cities shall continue unaffected until the officers of the city created by such consolidation are elected and qualified as herein provided. The judge of probate of the counties in which such cities are located shall order an election to be held in the manner hereinafter prescribed. Such election shall be held thirty days after such cities have voted approval of consolidation. At such election three qualified persons shall be elected to hold office as commissioners of the city created by consolidation. The positions to be held by such commissioners shall be numbered one, two, and three. The candidates for position numbered one must be residents of the merging city having the largest population according to the most recent federal decennial census; the candidates for position numbered two shall be residents of the merging city having second largest population according to such census; and the candidates for position numbered three shall reside in the merging city which has the smallest population according to such census. The names of such candidates shall be placed upon the ballot in three designated groups under the headings of the positions numbered one, two and three respectively. All qualified voters of the three cities shall be entitled to vote for one candidate for each position. Whenever a candidate for any numbered position receives a majority of all votes cast for all candidates seeking election to that position then he shall be declared elected as commissioner to the position thus numbered. If no candidate receives a majority a second election shall be held not less than ten nor more than fifteen days from the date of the first election. The two candidates receiving the highest number of votes in the first election shall be candidates for such office in the second election. The candidate who receives the highest number of votes in the second election shall be declared elected commissioner to such position.

Section 5. The judge of probate shall order the election provided for in Section 4 hereof and canvass the returns thereof in the manner prescribed in Section 2 of this act, and the cost of the election provided for in Section 4 hereof shall be borne by the cities to be consolidated. Each such city shall pay its pro rata share provided in Section 3 (h) hereof.

Section 6. The commissioners elected hereunder shall qualify for office in the manner prescribed by Code of Alabama 1940, Title 37, Sections 102 and 103 within three days following their election, and shall serve until their successors are elected and qualified. They shall immediately assume those duties, powers and responsibilities prescribed by law for commissioners and in addition to such duties and powers shall have the power and duty to select by majority vote the name of the consolidated city and the site of the government of such city. They shall also by majority vote elect one of their number as president of the board of commissioners of such city; and such president and commissioners shall be invested with all the powers, jurisdiction and functions as mayor and commissioners of such city and shall be required to perform all duties now required of mayors and commissioners of cities under Code of Alabama 1940, Title 37, Sections 89 through 119.

Successors to the commissioners elected hereunder shall be elected at the time and in the manner prescribed by general law for the election of city commissioners under Code of Alabama 1940, Title 37, Section 93.

Section 7. When the first commissioners are elected, and qualified, and assume the duties as provided for in Section 6 hereof, the three separate cities which have been consolidated shall be dissolved. Provided, however, that any ordinance, resolution or law in effect or in force within any of the three cities at the time of consolidation shall remain in effect or in force as to that area formerly within the corporate area of the abolished city until such ordinance or resolution is otherwise changed or modified by ordinance or resolution enacted by the commissioners, unless such ordinance, resolution or law is specifically repealed, altered or modified by the provisions of this act, or repealed, modified or altered by implication by the enactment of this act.

The purpose of this act is to consolidate three contiguous cities lying wholly within the counties to which this act applies as orderly and expeditiously as possible and to merge duplicate departments and authorities within such cities. The commissioners elected hereunder are hereby authorized, and directed to take necessary action to accomplish such purpose.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Agee	Downing	Jones	Pearson
Bank	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Garrett	Manley	Sessions
Bolton	Graham	Marr	Slate
Brannan	Grainger	Mays	Smith
Burgreen	Grayson	McCorquodale	Steagall
Collier	Hain	McElhaney	Stembridge
Collins (C)	Hardin	Meade	Stubbs
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Holladay	Money	Wood
Crawford	Holman	Nettles	Wright
Culver	House	Owen (Baldwin)	Young
Dill	Jackson (F)		

—70

Mr. Graham then offered the following amendment to the bill, H. 35, as thus amended:

Amend Section 2 of House Bill No. 35 by inserting at the end of Section 2 thereof the following:

"It is further hereby provided that in the event any one of the three cities as herein described shall fail to approve this act by a

majority vote as herein provided but a majority of the whole number of votes cast in the election from all three cities should favor the adoption of this plan of merger and consolidation, as herein provided, then in that event the cities would not be consolidated or merged as herein provided but a study and advisory commission designated as the Tri-Cities Commission on Consolidation would be established and formed as herein provided. Said commission would be made up of six members consisting of the legislative delegation representing such county in the state legislature and three other members to be agreed upon and appointed to the commission by said delegation. The purpose and authority of said commission would be to make a continuing, thorough study of the issue of consolidation of said cities as herein provided and the reporting of said findings and recommendations of the commission to the legislative delegation for whatever action said delegation should see fit to take regarding said issue of merger and consolidation."

And the amendment was adopted.

Yeas 59; Nays 2.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Owen (Baldwin)
Agee	Ellis	Jackson (T)	Pearson
Bassett	Fine	Jones	Pennington
Beck	Foshee	Lemley	Perloff
Berryman (W)	Garrett	Lybrand	Pruitt
Blanton	Graham	Lyons	Robertson
Bolton	Grainger	Manley	Sessions
Brannan	Grayson	Mays	Slate
Burgreen	Hain	McCorquodale	Smith
Collins (C)	Hardin	McElhaney	Stembridge
Cook (Coffee)	Harper	Meade	Williams
Culver	Harris	Melton	Wood
Dobbs	Headley	Merrill	Wright
Downing	Hill	Nettles	Young
Drake	Holman	Neville	—59

Nays: Messrs. Collins (W) and Marr —2

And the bill, H. 35, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Downing	Hill	Nettles
Agee	Drake	Holman	Neville
Bassett	Edington	Jackson (F)	Owen (Baldwin)
Beck	Ellis	Jackson (T)	Pearson
Berryman (W)	Fine	Jones	Pennington
Blanton	Foshee	Lemley	Pruitt
Bolton	Garrett	Lybrand	Robertson
Brannan	Graham	Manley	Sessions
Burgreen	Grainger	Marr	Slate
Collins (C)	Grayson	Mays	Steagall
Collins (W)	Hain	McCorquodale	Stembridge
Cook (Coffee)	Hardin	McElhaney	Williams
Cook (Jefferson)	Harris	Meade	Wood
Culver	Haygood	Melton	Wright
Dobbs	Headley	Merrill	Young

And the bill:

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Was taken up.

Mr. Harper offered the following amendment to the bill, S. 218:

Amend the title of S. B. 218 by inserting after the word "Provide" the following words and figures "in all counties having less than 600,000 population according to the last or any subsequent federal decennial census"

Also amend Section 1 of S. B. 218 by deleting the word "the" in the fourth line of Section 1 and inserting in lieu thereof the word "any" and further amending Section 1 by inserting after the word "county" where it appears in the fourth line of Section 1 the following words and figures "having less than 600,000 population according to the last or any subsequent federal decennial census."

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Perloff
Agee	Foshee	Lyons	Robertson
Bank	Garrett	Malone	Sessions
Bassett	Graham	Manley	Shumate
Beck	Grainger	Marr	Slate
Berryman (W)	Hain	Mays	Springer
Blanton	Hardin	McCorquodale	Steagall
Brannan	Harper	McElhaney	Stembridge
Burgreen	Harris	Meade	Stubbs
Collier	Haygood	Melton	Tuck
Collins (C)	Headley	Merrill	Turnham
Collins (W)	Hobbie	Nettles	Waggoner
Cook (Coffee)	Holman	Neville	Weeks
Crawford	Jackson (F)	Owen (Baldwin)	Williams
Culver	Jackson (T)	Owens (W)	Wood
Dill	Jones	Pearson	Wright
Dobbs	Kilgore	Pennington	Young
Downing	Lemley		

—70

And the bill, S. 218, as thus amended:

To provide in all counties having less than 600,000 population according to the last or any subsequent federal decennial census for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bolton	Collier
Agee	Berryman (W)	Brannan	Collins (C)
Bank	Blanton	Burgreen	Collins (W)

Cook (Coffee)	Harper	Manley	Robertson
Crawford	Harris	Marr	Sessions
Culver	Haygood	Mays	Shumate
Dill	Headley	McCorquodale	Slate
Dobbs	Hobbie	McElhaney	Steagall
Downing	Holman	Melton	Stubbs
Fine	Jackson (F)	Merrill	Tuck
Foshee	Jackson (T)	Money	Turnham
Garrett	Jones	Nettles	Waggoner
Graham	Kilgore	Owen (Baldwin)	Weeks
Grainger	Lemley	Owens (W)	Williams
Grayson	Lybrand	Pearson	Wood
Hain	Lyons	Pennington	Wright
Hardin	Malone	Perloff	Young

—68

And the bill:

H. 1056. To propose a constitutional amendment realtive to levy-ing additional taxes in Talladega County for public school purposes.

Was taken up.

On motion of Mr. Smith, the bill, H. 1056, was recommitted to the Standing Committee on Local Legislation No. 1.

MOTION TO BRING UP H. 1127

On motion of Mr. Fine, the rules were suspended and permission granted to bring up out of order the bill, H. 1127.

Yeas 62; Nays 12.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pruitt
Agee	Downing	Jones	Robertson
Bank	Drake	Lemley	Sessions
Bassett	Edington	Lybrand	Shumate
Beck	Ellis	Manley	Slate
Berryman (W)	Fine	Mays	Smith
Blanton	Foshee	McCorquodale	Springer
Brannan	Garrett	McElhaney	Stembridge
Brassell	Graham	Meade	Stubbs
Brown	Grayson	Melton	Tuck
Burgreen	Hardin	Money	Watkins
Cherner	Harper	Neville	Weeks
Collier	Harris	Owen (Baldwin)	Wood
Collins (C)	Haygood	Pearson	Wright
Cook (Coffee)	Headley	Perloff	Young
Culver	Hobbie		

—62

Nays:

Messrs.:	Dill	Lyons	Nettles
Collins (W)	Kilgore	Malone	Owens (W)
Cook (Jefferson)	Laxson	Marr	Yeilding
Crane			

—12

And the bill:

H. 1127 (with amendment). To make an appropriation to the Ala-bama Educational Television Commission.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 2 of House Bill 1127 by adding the words "Flomaton" and "Eutaw" at the end of said section.

And the amendment was adopted.

Yeas 73; Nay 1.

Yeas:

Mr. Speaker	Downing	Kilgore	Pruitt
Agee	Drake	Lemley	Robertson
Bank	Edington	Lybrand	Sessions
Bassett	Ellis	Manley	Shumate
Beck	Fine	Marr	Slate
Berryman (W)	Foshee	Mays	Smith
Blanton	Garrett	McCorquodale	Starnes
Brannan	Graham	McElhaney	Steagall
Brassell	Hain	Meade	Stembridge
Brown	Hardin	Melton	Stubbs
Burgreen	Harper	Money	Tuck
Cherner	Harris	Nettles	Turnham
Collier	Haygood	Neville	Watkins
Collins (C)	Headley	Owen (Baldwin)	Weeks
Collins (W)	Higginbotham	Owens (W)	Williams
Cook (Coffee)	Hobbie	Pearson	Wood
Crawford	Jackson (F)	Pennington	Wright
Culver	Jones	Perloff	Young
Dobbs			—73

Nay: Mr. Dill —1

And the bill, H. 1127, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 3.

Yeas:

Messrs.:	Dobbs	Kilgore	Pearson
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lybrand	Pruitt
Beck	Ellis	Manley	Robertson
Berryman (W)	Fine	Marr	Sessions
Blanton	Foshee	Mays	Shumate
Brannan	Garrett	McCorquodale	Starnes
Brassell	Graham	McDonald	Stembridge
Brown	Grayson	McElhaney	Tuck
Burgreen	Hardin	Meade	Turnham
Cherner	Harris	Melton	Weeks
Collier	Headley	Money	Wood
Collins (C)	Higginbotham	Nettles	Wright
Cook (Coffee)	Hobbie	Neville	Yeilding
Crawford	Jackson (F)	Owen (Baldwin)	Young
Culver	Jones	Owens (W)	—66

Nays: Messrs. Collins (W), Dill and Garrett —3

H. 446 INDEFINITELY POSTPONED

On motion of Mr. Berryman (W), the bill, H. 446, was indefinitely postponed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 927. To regulate further the preparation and publication of the list of qualified electors in Lauderdale County in even numbered years; providing for the posting of such lists in lieu of their publication in a newspaper; relieving the judge of probate of the duty of publishing such list; and authorizing him, in his discretion, to publish a brief notice relative to such lists.

Was taken up for reconsideration.

And said bill was again read a third time a length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Doss	Hain
Adwell	Cameron	Downing	Hardin
Agee	Cherner	Drake	Harper
Bank	Collier	Edington	Harris
Bassett	Collins (C)	Ellis	Haygood
Beck	Collins (W)	Fine	Headley
Berryman (W)	Cook (Coffee)	Foshee	Higginbotham
Blanton	Cook (Jefferson)	Gafford	Hobbie
Bolton	Crawford	Garrett	Holladay
Brannan	Culver	Graham	Holman
Brassell	Dill	Grainger	House
Brown	Dobbs	Grayson	Jackson (F)

Jones	McDonald	Pearson	Stembridge
Kilgore	McElhaney	Pennington	Stubbs
Laxson	McLain	Perloff	Tuck
Lemley	Meade	Pruitt	Turnham
Lybrand	Melton	Sessions	Watkins
Lyons	Merrill	Shumate	Weeks
Malone	Money	Slate	Williams
Manley	Nettles	Smith	Wood
Marr	Neville	Snell	Wright
Mays	Owen (Baldwin)	Starnes	Yeilding
McCorquodale	Owens (W)	Steagall	Young

—92

And the bill:

H. 1071. Authorizing the county governing body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and that the substance of said bill is as follows.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1204. Relating to counties having populations of not less than 46,500 nor more than 48,000 to provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

UNANIMOUS CONSENT GRANTED

At the request of Mr. Burgess, unanimous consent was granted that the Journal show he voted Yea on all uncontested local bills.

And the bill:

H. 1262. To provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1264. Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Edington
Adwell	Brassell	Cook (Jefferson)	Ellis
Agee	Brown	Crawford	Fine
Bank	Burgreen	Culver	Foshee
Bassett	Cameron	Dill	Gafford
Beck	Cherner	Dobbs	Garrett
Berryman (W)	Collier	Doss	Graham
Blanton	Collins (C)	Downing	Grainger
Bolton	Collins (W)	Drake	Grayson

Hain	Laxson	Merrill	Snell
Hardin	Lemley	Money	Starnes
Harper	Lybrand	Nettles	Steagall
Harris	Lyons	Neville	Stembridge
Haygood	Malone	Owen (Baldwin)	Stubbs
Headley	Manley	Owens (W)	Tuck
Higginbotham	Marr	Pearson	Turnham
Hobbie	Mays	Pennington	Watkins
Holladay	McCorquodale	Perloff	Weeks
Holman	McDonald	Pruitt	Williams
House	McElhaney	Sessions	Wood
Jackson (F)	McLain	Shumate	Wright
Jones	Meade	Slate	Yeilding
Kilgore	Melton	Smith	Young

—92

And the bill:

H. 1266. Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1267. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an expense allowance for the probate judge of such counties.

Was taken up.

Mr. Neville offered the following substitute to the bill, H. 1267:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census, the county governing body shall pay to the probate judge from the general fund of the county an expense allowance of twenty-four hundred dollars (\$2,400) per annum for the operation of his office. Such allowance shall be in addition to any other allowance or compensation provided by law.

Section 2. Act No. 122, H. 359, and Act No. 87, S. 208, Regular Session 1967 (Acts 1967, p. 460), and all other laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill, H. 1267, as amended:

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1268. Relating to counties having populations of less than 25,000 inhabitants and two courthouses; providing an additional deputy circuit clerk for such counties.

Was taken up.

Mr. Neville offered the following substitute to the bill, H. 1268:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census, the county governing body shall authorize the circuit clerk to appoint a deputy clerk, in addition to the deputies now provided by law, whose salary shall be three thousand dollars (\$3,000) per annum and shall be paid by the county.

Section 2. Act No. 523, S. 354, Regular Session 1961 (Acts 1961, p. 623), all acts amendatory thereof, and all other laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill, H. 1268, as thus amended:

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties; and re-pealing conflicting laws.

Was read at length a third time and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1269. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax collector of such counties.

Was taken up.

Mr. Neville offered the following substitute to the bill, H. 1269:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census, the county governing body shall pay to the tax collector from the general fund of the county an expense allowance of twenty-four hundred dollars (\$2,400) per annum for the operation of his office.

Section 2. Act No. 610, H. 748, Regular Session 1967 (Acts 1967, p. 1415), and all other laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yelding
Dill	Holman	Owen (Baldwin)	Young

And the bill, H. 1269, as thus amended:

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1270. Relating to counties having two courthouses and property assessed for ad valorem taxation the previous fiscal year totaling less than \$25,000,000; providing an expense allowance for the tax assessor of such counties.

Was taken up.

Mr. Neville offered the following substitute to the bill, H. 1270:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census, the county governing body shall pay to the tax assessor from the general fund of the county an expense allowance of twenty-four hundred dollars (\$2,400) per annum for the operation of his office.

Section 2. Act No. 721, H. 1017, Regular Session 1967 (Acts 1967, p. 1556), and all other laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill, H. 1270, as thus amended:

Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Foshee
Adwell	Brown	Culver	Gafford
Agee	Burgreen	Dill	Garrett
Bank	Cameron	Dobbs	Graham
Bassett	Cherner	Doss	Grainger
Beck	Collier	Downing	Grayson
Berryman (W)	Collins (C)	Drake	Hain
Blanton	Collins (W)	Edington	Hardin
Bolton	Cook (Coffee)	Ellis	Harper
Brannan	Cook (Jefferson)	Fine	Harris

Haygood	Lyons	Nettles	Starnes
Headley	Malone	Neville	Steagall
Higginbotham	Manley	Owen (Baldwin)	Stembridge
Hobbie	Marr	Owens (W)	Stubbs
Holladay	Mays	Pearson	Tuck
Holman	McCorquodale	Pennington	Turnham
House	McDonald	Perloff	Watkins
Jackson (F)	McElhaney	Pruitt	Weeks
Jones	McLain	Sessions	Williams
Kilgore	Meade	Shumate	Wood
Laxson	Melton	Slate	Wright
Lemley	Merrill	Smith	Yeilding
Lybrand	Money	Snell	Young

—92

And the bill:

H. 1276. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1280. To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1281. To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1282. Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yelding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1286. Relating to counties having populations of not less than 35,100 nor more than 36,100; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Meeks and Mathews, unanimous consent was granted that they be shown as voting Yea on all uncontested local bills.

And the bill:

H. 1287. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cherner	Ellis	Higginbotham
Adwell	Collier	Fine	Hobbie
Agee	Collins (C)	Foshee	Holladay
Bank	Collins (W)	Gafford	Holman
Bassett	Cook (Coffee)	Garrett	House
Beck	Cook (Jefferson)	Graham	Jackson (F)
Berryman (W)	Crawford	Grainger	Jones
Blanton	Culver	Grayson	Kilgore
Bolton	Dill	Hain	Laxson
Brannan	Dobbs	Hardin	Lemley
Brassell	Doss	Harper	Lybrand
Brown	Downing	Harris	Lyons
Burgreen	Drake	Haygood	Malone
Cameron	Edington	Headley	Manley

Marr	Money	Sessions	Tuck
Mays	Nettles	Shumate	Turnham
McCorquodale	Neville	Slate	Watkins
McDonald	Owen (Baldwin)	Smith	Weeks
McElhaney	Owens (W)	Snell	Williams
McLain	Pearson	Starnes	Wood
Meade	Pennington	Steagall	Wright
Melton	Perloff	Stembridge	Yeilding
Merrill	Pruitt	Stubbs	Young

—92

And the bill:

H. 1292. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1293. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1294. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1295. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1297. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Edington
Adwell	Brassell	Cook (Jefferson)	Ellis
Agee	Brown	Crawford	Fine
Bank	Burgreen	Culver	Foshee
Bassett	Cameron	Dill	Gafford
Beck	Cherner	Dobbs	Garrett
Berryman (W)	Collier	Doss	Graham
Blanton	Collins (C)	Downing	Grainger
Bolton	Collins (W)	Drake	Gravson

Hain	Laxson	Merrill	Snell
Hardin	Lemley	Money	Starnes
Harper	Lybrand	Nettles	Steagall
Harris	Lyons	Neville	Stembridge
Haygood	Malone	Owen (Baldwin)	Stubbs
Headley	Manley	Owens (W)	Tuck
Higginbotham	Marr	Pearson	Turnham
Hobbie	Mays	Pennington	Watkins
Holladay	McCorquodale	Perloff	Weeks
Holman	McDonald	Pruitt	Williams
House	McElhaney	Sessions	Wood
Jackson (F)	McLain	Shumate	Wright
Jones	Meade	Slate	Yeilding
Kilgore	Melton	Smith	Young

—92

And the bill:

H. 1298. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1299. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955, an act providing for urban renewal projects (Acts 1955, v. 2, p. 1210), as amended, in relation to the powers of housing authorities and municipalities to acquire planning funds from federal agencies.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1300. To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1301. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yielding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1314. To amend Section 1 of Act No. 179, Acts of Alabama 1965, page 250, relating to counties having a population of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to provide an additional expense allowance for members of the governing body of any such county payable out of county funds; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cherner	Culver
Adwell	Bolton	Collier	Dill
Agee	Brannan	Collins (C)	Dobbs
Bank	Brassell	Collins (W)	Doss
Bassett	Brown	Cook (Coffee)	Downing
Beck	Burgreen	Cook (Jefferson)	Drake
Berryman (W)	Cameron	Crawford	Edington

Ellis	Holladay	McElhaney	Slate
Fine	Holman	McLain	Smith
Foshee	House	Meade	Snell
Gafford	Jackson (F)	Melton	Starnes
Garrett	Jones	Merrill	Steagall
Graham	Kilgore	Money	Stembridge
Grainger	Laxson	Nettles	Stubbs
Grayson	Lemley	Neville	Tuck
Hain	Lybrand	Owen (Baldwin)	Turnham
Hardin	Lyons	Owens (W)	Watkins
Harper	Malone	Pearson	Weeks
Harris	Manley	Pennington	Williams
Haygood	Marr	Perloff	Wood
Headley	Mays	Pruitt	Wright
Higginbotham	McCorquodale	Sessions	Yeilding
Hobbie	McDonald	Shumate	Young

—92

And the bill:

H. 1329. A bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1330. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1331. Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1332. To apply to all counties having populations of not less than 46,000 nor more than 46,500 according to the most recent federal decennial census and in which a special juvenile court has been established; to authorize the appointment of a probation officer to serve such court and to prescribe his qualifications, duties and authority; to authorize and direct the commissioner of the state department of pensions and security to pay a portion of said probation officer's salary out of certain funds available to said department under certain conditions and to provide that the remainder of his salary and all other expenses shall be paid on a pro rata basis by the governing bodies of the county and of the largest city therein of all counties to which this act applies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1337. To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and to pay a certain sum to the estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Collier
Adwell	Berryman (W)	Brown	Collins (C)
Agee	Blanton	Burgreen	Collins (W)
Bank	Bolton	Cameron	Cook (Coffee)
Bassett	Brannan	Cherner	Cook (Jefferson)

Crawford	Harper	Marr	Sessions
Culver	Harris	Mays	Shumate
Dill	Haygood	McCorquodale	Slate
Dobbs	Headley	McDonald	Smith
Doss	Higginbotham	McElhaney	Snell
Downing	Hobbie	McLain	Starnes
Drake	Holladay	Meade	Steagall
Edington	Holman	Melton	Stembridge
Ellis	House	Merrill	Stubbs
Fine	Jackson (F)	Money	Tuck
Foshee	Jones	Nettles	Turnham
Gafford	Kilgore	Neville	Watkins
Garrett	Laxson	Owen (Baldwin)	Weeks
Graham	Lemley	Owens (W)	Williams
Grainger	Lybrand	Pearson	Wood
Grayson	Lyons	Pennington	Wright
Hain	Malone	Perloff	Yeilding
Hardin	Manley	Pruitt	Young

—92

UNANIMOUS CONSENT GRANTED

At the request of Mr. Waggoner, unanimous consent was granted that he be shown as voting Yea on all uncontested local bills.

And the bill:

H. 1339. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 1340. Relating to counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Brown	Dill	Graham
Adwell	Burgreen	Dobbs	Grainger
Agee	Cameron	Doss	Grayson
Bank	Cherner	Downing	Hain
Bassett	Collier	Drake	Hardin
Beck	Collins (C)	Edington	Harper
Berryman (W)	Collins (W)	Ellis	Harris
Blanton	Cook (Coffee)	Fine	Haygood
Bolton	Cook (Jefferson)	Foshee	Headley
Brannan	Crawford	Gafford	Higginbotham
Brassell	Culver	Garrett	Hobbie

Holladay	Marr	Owen (Baldwin)	Steagall
Holman	Mays	Owens (W)	Stembridge
House	McCorquodale	Pearson	Stubbs
Jackson (F)	McDonald	Pennington	Tuck
Jones	McElhaney	Perloff	Turnham
Kilgore	McLain	Pruitt	Watkins
Laxson	Meade	Sessions	Weeks
Lemley	Melton	Shumate	Williams
Lybrand	Merrill	Slate	Wood
Lyons	Money	Smith	Wright
Malone	Nettles	Snell	Yeilding
Manley	Neville	Starnes	Young

—92

And the bill:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

S. 544. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

And the bill:

H. 802. Providing further for expense allowances for certain members of the governing bodies of counties having populations of not less than 57,000 nor more than 61,000, and making such Act retroactive.

Was taken up.

On motion of Mr. Slate, the bill, H. 802, was indefinitely postponed.

And the bill:

H. 1310. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Collier
Adwell	Berryman (W)	Brown	Collins (C)
Agee	Blanton	Burgreen	Collins (W)
Bank	Bolton	Cameron	Cook (Coffee)
Bassett	Brannan	Cherner	Cook (Jefferson)

Crawford	Harper	Marr	Sessions
Culver	Harris	Mays	Shumate
Dill	Haygood	McCorquodale	Slate
Dobbs	Headley	McDonald	Smith
Doss	Higginbotham	McElhaney	Snell
Downing	Hobbie	McLain	Starnes
Drake	Holladay	Meade	Steagall
Edington	Holman	Melton	Stembridge
Ellis	House	Merrill	Stubbs
Fine	Jackson (F)	Money	Tuck
Foshee	Jones	Nettles	Turnham
Gafford	Kilgore	Neville	Watkins
Garrett	Laxson	Owen (Baldwin)	Weeks
Graham	Lemley	Owens (W)	Williams
Grainger	Lybrand	Pearson	Wood
Grayson	Lyons	Pennington	Wright
Hain	Malone	Perloff	Yeilding
Hardin	Manley	Pruitt	Young

—92

And the bill:

H. 1328. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; to exempt art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Watkins
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—92

MOTION TO BRING UP H. 1303

On motion of Mr. House, the rules were suspended and permission granted to bring up out of order the bill, H. 1303.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Adwell	Doss	Jackson (F)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Fine	Marr	Sessions
Brannan	Foshee	Mathews	Smith
Brassell	Gloor	Mays	Springer
Burgess	Graham	McElhaney	Stubbs
Cameron	Grainger	McLain	Tuck
Cherner	Grayson	Meade	Turnham
Collier	Hardin	Melton	Waggoner
Collins (W)	Harris	Merrill	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Hill	Owen (Baldwin)	Yeilding
Crawford	Hobbie	Owens (W)	Young
Culver			

—65

Nay: Mr. Gafford

—1

And the bill:

H. 1303. To authorize and regulate cooperation in counties having populations of 600,000 or more, according to the most recent federal decennial census, among and between the county, municipalities, other governmental subdivisions and public corporations therein, the state and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of area.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jones	Pearson
Bank	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Fine	Lybrand	Pruitt
Blanton	Foshee	Malone	Robertson
Brannan	Gloor	Manley	Sessions
Brassell	Graham	Marr	Smith
Burgess	Grainger	Mathews	Springer
Cameron	Grayson	Mays	Starnes
Cherner	Hain	McElhaney	Stembridge
Collier	Hardin	McLain	Stubbs
Collins (W)	Harris	Meade	Tuck
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crawford	Hobbie	Nettles	Yeilding
Culver	Holladay	Owen (Baldwin)	Young
Dill	Holman		

—70

Nays: Messrs. Gafford, Jackson (T) and Watkins

—3

MOTION TO BRING UP H. 1304

On motion of Mr. House, the rules were suspended and permission granted to bring up out of order the bill, H. 1304.

Yeas 63; Nays 5.

Yeas:

Mr. Speaker	Dill	Jones	Pennington
Agee	Dobbs	Laxson	Perloff
Bank	Downing	Lybrand	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Foshee	Marr	Sessions
Berryman (W)	Gloor	Mays	Springer
Blanton	Graham	McElhaney	Starnes
Brannan	Grainger	McLain	Stembridge
Brassell	Grayson	Meade	Stubbs
Cameron	Hain	Meeks	Tuck
Collier	Hardin	Melton	Waggoner
Collins (W)	Harris	Merrill	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Hill	Owen (Baldwin)	Yeilding
Crawford	Hobbie	Owens (W)	Young
Culver	Jackson (F)	Pearson	

—63

Nays:

Messrs.:	Cherner	Jackson (T)	Watkins
Burgess	Gafford		

—5

And the bill:

H. 1304. To provide in all counties having a population of not less than 600,000 inhabitants according to the last or any subsequent federal census a special indexing fee of \$1.00 which fee is in addition to all existing recording fees and charges on each document or instrument hereafter filed and indexed for record in the office of the Judge of Probate of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 63; Nays 6.

Yeas:

Mr. Speaker	Dill	Laxson	Perloff
Agee	Dobbs	Lybrand	Robertson
Bank	Doss	Malone	Sessions
Bassett	Downing	Marr	Slate
Beck	Drake	Mays	Springer
Berryman (W)	Edington	McElhaney	Starnes
Blanton	Foshee	McLain	Stembridge
Brannan	Graham	Meade	Tuck
Brassell	Grainger	Meeks	Turnham
Cameron	Grayson	Melton	Waggoner
Collier	Hardin	Merrill	Weeks
Collins (W)	Harris	Nettles	Williams
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Wood
Cook (Jefferson)	Hill	Owens (W)	Yeilding
Crawford	Jackson (F)	Pearson	Young
Culver	Jones	Pennington	

—63

Nays:

Messrs.:	Cherner	Holladay	Watkins
Burgess	Gafford	Jackson (T)	

—6

MOTION TO BRING UP H. 1305

On motion of Mr. House, the rules were suspended and permission granted to bring up out of order the bill, H. 1305.

Yeas 67; Nays 3.

Yeas:

Mr. Speaker	Doss	Jones	Pearson
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lybrand	Robertson
Beck	Fine	Malone	Sessions
Berryman (W)	Foshee	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Stembridge
Burgess	Grainger	McElhaney	Tuck
Cameron	Grayson	McLain	Turnham
Collier	Hain	Meade	Waggoner
Collins (W)	Hardin	Meeks	Weeks
Cook (Jefferson)	Harris	Melton	Williams
Crawford	Higginbotham	Merrill	Wood
Culver	Hill	Nettles	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	Jackson (F)	Owens (W)	—67

Nays: Messrs. Adwell, Gafford and Watkins —3

And the bill:

H. 1305. Authorizing any municipality of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jones	Pearson
Bank	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Marr	Sessions
Brannan	Gloor	Mays	Springer
Brassell	Graham	McElhaney	Starnes
Cameron	Grainger	McLain	Stembridge
Collier	Hain	Meade	Turnham
Collins (W)	Hardin	Meeks	Weeks
Cook (Jefferson)	Harris	Melton	Williams
Crawford	Higginbotham	Merrill	Wood
Culver	Hill	Nettles	Yeilding
Dill	Holman	Owen (Baldwin)	Young
			—60

Nays: Messrs. Gafford, Jackson (T) and Watkins —3

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 699 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 12, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 699 without my approval.

I respectfully suggest that Section 3 (a) of House Bill No. 699 be amended by adding at the end of the first sentence thereof the following:

"In exercising jurisdiction in juvenile court cases the provisions of Chapter 7, Title 13, Code of Alabama 1940, and amendments shall apply."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

August 12, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Crawford, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 699, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Garrett	Holladay
Agee	Cook (Coffee)	Gloor	Holman
Bank	Cook (Jefferson)	Graham	Jackson (F)
Bassett	Culver	Grainger	Jackson (T)
Beck	Dill	Grayson	Jones
Berryman (W)	Dobbs	Hain	Laxson
Blanton	Doss	Hardin	Lemley
Brannan	Downing	Harris	Lybrand
Brassell	Drake	Haygood	Lyons
Cameron	Edington	Higginbotham	Manley
Cherner	Fine	Hill	Marr
Collier	Foshee	Hobbie	Mathews

Mays	Neville	Slate	Turnham
McDonald	Owen (Baldwin)	Smith	Waggoner
McElhaney	Owens (W)	Springer	Weeks
McLain	Pearson	Starnes	Williams
Meade	Pennington	Steagall	Wood
Meeks	Perloff	Stembridge	Wright
Melton	Pruitt	Stubbs	Yeilding
Merrill	Robertson	Tuck	Young
Nettles	Sessions		

—82

Which was a majority of the whole number elected to the House.

And said bill:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pennington
Agee	Fine	Laxson	Perloff
Bank	Foshee	Lemley	Pruitt
Bassett	Garrett	Lybrand	Robertson
Beck	Gloor	Lyons	Sessions
Berryman (W)	Graham	Manley	Slate
Blanton	Grainger	Marr	Springer
Brannan	Grayson	Mathews	Starnes
Brassell	Hain	Mays	Steagall
Cameron	Hardin	McDonald	Stembridge
Cherner	Harris	McElhaney	Stubbs
Collier	Haygood	McLain	Tuck
Collins (W)	Higginbotham	Meade	Turnham
Cook (Coffee)	Hill	Meeks	Waggoner
Cook (Jefferson)	Hobbie	Melton	Weeks
Crawford	Holladay	Merrill	Williams
Culver	Holman	Nettles	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Pearson	Young
Drake			

—81

Which was a majority of the whole number elected to the House.

MOTION TO ADJOURN LOST

The motion of Mr. Marr that the House adjourn until twelve o'clock Noon on Thursday, August 14, 1969, was lost.

Yeas 38; Nays 50.

Yeas:

Mr. Speaker	Doss	Manley	Perloff
Bassett	Downing	Marr	Pruitt
Berryman (W)	Drake	Mathews	Sessions
Blanton	Fine	Mays	Slate
Brassell	Hain	Meade	Springer
Brown	Hardin	Meeks	Stembridge
Burgess	Haygood	Melton	Watkins
Collier	Headley	Merrill	Weeks
Crawford	Laxson	Neville	Wood
Dill	Lemley		

—38

Nays:

Messrs.:	Dobbs	Holman	Pennington
Adwell	Edington	House	Robertson
Agee	Ellis	Jackson (F)	Smith
Bank	Foshee	Jackson (T)	Starnes
Beck	Gafford	Jones	Steagall
Bolton	Garrett	Lybrand	Stubbs
Brannan	Graham	McDonald	Tuck
Cameron	Grainger	McElhanev	Turnham
Cherner	Grayson	McLain	Waggoner
Collins (W)	Harris	Nettles	Williams
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Wright
Cook (Jefferson)	Hill	Owens (W)	Young
Culver	Hobbie	Pearson	

—50

BILLS ON THIRD READING RESUMED

And the bill:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Was taken up.

Mr. Culver offered the following amendment to the bill, S. 201:

Senate Bill No. 201 is hereby amended as follows:

Amend subsection (a) of Section 4 of said bill by striking out all of said subsection and insert in lieu thereof the following:

"Section 4. (a) No license as required hereunder shall be issued or renewed until the applicant therefor shall make, execute and thereafter maintain on file with the Commissioner a bond or a bond equivalent as hereinafter provided in favor of the State of Alabama or a trustee to be approved by the Commissioner to secure the performance of obligations incurred in the State of Alabama and the payment thereof to persons from whom such dealer purchases livestock. Except as hereinafter otherwise provided, the amount of each bond shall be not less than the next multiple of Two Thousand Dollars (\$2,000.00) above the average amount of purchases of livestock purchased either as a dealer or on an agency basis in Alabama during a period equivalent to two business days based on the total number of business days, and the total amount of such transactions during the preceding twelve (12) months or in such substantial part thereof in which applicant did busi-

ness. For the purpose of this computation 260 shall be deemed the number of business days in any year. Provided, that bonds above \$26,000.00 shall be not less than the next multiple of \$5,000.00 above the average amount of livestock purchased either as a dealer or on an agency basis in Alabama, computed as set out above. When the amount of a bond, calculated as herein required, exceeds Fifty Thousand Dollars (\$50,000.00), the amount of the bond shall not exceed Fifty Thousand Dollars (\$50,000.00) plus 10% of the excess, unless the Commissioner has reason to believe that a bond in such amount is inadequate because of the volume of business conducted on a seasonal or otherwise irregular basis in which event the Commissioner shall determine and specify the amount of the bond to be required."

Also, amend said Bill by amending subsection (d) of Section 4 thereof by striking out the words and figures "thirty (30) days" where said words and figures appear in the last sentence of said subsection (d) and insert in lieu thereof the following words and figures "fifteen (15) days".

Also, amend said Bill by striking out all of Section 5 thereof and substitute therefor the following:

"Section 5. The Commissioner is hereby authorized to accept a bond made by any dealer pursuant to the bonding requirements of the United States Packers and Stockyards Act, 1921, as amended, and any dealer presenting such a bond shall be deemed to have complied with the bonding provisions of Section 4 of this Act, provided the amount of such bond equals or is greater than the amount required in said Section 4. If the amount of such bond does not satisfy the requirements of said Section 4, such bond shall be increased to such amount as will satisfy the requirements of said Section, prior to issuance of a license to such dealer. Any dealer not required to file and maintain a bond or a bond equivalent pursuant to requirements of the United States Packers and Stockyards Act, 1921, as amended, shall be required to file and maintain a bond for the amount as set forth under Section 4 hereof."

Also, amend said Bill by amending Section 6 thereof by striking out the words and figures "thirty (30) days or more." where said words and figures appear in said Section 6 and insert in lieu thereof the following words and figures: "fifteen (15) days or more."

Further amend said Bill by adding the following Section immediately after Section 8 of said bill:

"Section 9. The provisions of this Act are severable. If any part of this Act shall for any reason be declared invalid or unconstitutional such declaration shall not invalidate, impair or otherwise affect the part of this Act which remains."

Also, further amend said Bill by numbering the last two sections of the Bill that follow Section 9 as Section 10 and Section 11.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bolton	Collins (W)	Drake
Agee	Brannan	Cook (Coffee)	Edington
Bank	Brassell	Cook (Jefferson)	Fine
Bassett	Burgess	Crawford	Foshee
Beck	Cameron	Culver	Gafford
Berryman (W)	Cherner	Dill	Garrett
Blanton	Collier	Downing	Graham

Grainger	Jackson (F)	Melton	Smith
Grayson	Jackson (T)	Merrill	Starnes
Hain	Jones	Nettles	Steagall
Hardin	Laxson	Neville	Stubbs
Harris	Lemley	Owen (Baldwin)	Tuck
Haygood	Lybrand	Owens (W)	Weeks
Higginbotham	Lyons	Pearson	Williams
Hill	Mays	Pennington	Wood
Hobbie	McDonald	Perloff	Wright
Holladay	McElhaney	Robertson	Yeilding
Holman	Meade	Sessions	Young
House	Meeks	Slate	

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And the bill, S. 201, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Adwell	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Jones	Pennington
Bassett	Edington	Laxson	Perloff
Blanton	Fine	Lybrand	Pruitt
Bolton	Foshee	Lyons	Sessions
Brannan	Gafford	Manley	Slate
Brassell	Garrett	Marr	Smith
Brown	Graham	Mathews	Starnes
Burgess	Grainger	Mays	Steagall
Burgreen	Grayson	McDonald	Stubbs
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Waggoner
Collier	Harris	Meade	Weeks
Collins (C)	Haygood	Meeks	Williams
Collins (W)	Higginbotham	Melton	Wood
Cook (Coffee)	Hill	Merrill	Wright
Cook (Jefferson)	Hobbie	Money	Yeilding
Crawford	Holladay	Nettles	Young
Culver	Holman	Neville	

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REPORT OF COMMITTEE ON CONFERENCE

We, your Conference Committee, appointed on the disagreement of the two houses on the Senate amendment to House Bill 673 beg leave to report as follows:

(1) We recommend that the Senate and the House adopt the attached substitute for the bill.

JOE C. McCORQUODALE, JR.
Chairman

IRA D. PRUITT

ROBERT G. ADWELL

Conferees on the part of the House

W. H. LINDSEY, III

E. W. SKIDMORE

PIERRE PELHAM

Conferees on the part of the Senate

A BILL
TO BE ENTITLED
AN ACT

To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over the state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a State Forestry Commission, hereinafter referred to as Commission, which Commission shall be composed of seven (7) members to be appointed by the Governor with the advice and consent of the Senate. Two members shall be appointed for a period of one year, two for a period of two years, two for a period of four years and the remaining member for a period of five years. Upon the expiration of said terms, appointments thereafter shall be for a period of five years and until their respective successors in office have been appointed and qualified. At all times at least two of such members shall be licensed and registered foresters under the laws of Alabama. At all times at least three of such members shall be owners of timberland in Alabama.

Section 2. The Commission shall, upon its first meeting, which shall be called by the Governor within sixty (60) days after appointment of the membership, elect from its membership a chairman and vice-chairman who shall serve for a period of one (1) year. The vice-chairman shall act in the place of the chairman in his absence or disability. The Commission shall meet at such times as designated by the Commission or the chairman at the State Capitol or at other places as it deems necessary or convenient, but the chairman of the Commission must call a meeting two (2) times each year, one meeting in the month of January and one meeting in the month of July. The chairman of the Commission may also call a special meeting at any time he deems it advisable or necessary. A quorum shall be four (4) members present and all matters coming before the Commission shall be voted on by the Commission. The Commission will keep or cause to be kept a record of all transactions discussed or voted on at its meeting. Commission members shall be entitled to a salary of \$25.00 per day when in attendance at a meeting or on official business of the Commission, together with their reasonable actual expenses. Such compensation and expenses shall be paid from funds of the Commission.

Section 3. If any member of the Commission for any cause fails to attend three (3) successive meetings of the Commission without good and valid cause or excuse or without a leave of absence from the chairman, his office shall be declared vacant by the Commission and the chairman shall notify the Governor of the vacancy who will then fill the vacancy as provided by Section 5.

Section 4. The functions and duties of the Commission shall be as follows: To protect, conserve and increase the timber and forest

resources of this State and to administer all laws relating to timber and forestry and the protection, conservation and increase of such resources; to make exploration, surveys, studies, and reports concerning the timber and forest resources, and to publish such thereof as will be of general interest, to maintain, supervise, operate and control all state forests; to cooperate with and enter into cooperative agreements and stipulations with the Secretary of Agriculture of the United States or any other federal officer or department, board, bureau, commission, agency or office, thereunto authorized, with respect to the protection of timbered and forest-producing land from fire, insects and disease, the acquisition of forest lands to be developed, administered and managed as state forests, the production, procurement and distribution of forest trees and shrub planting stock, the carrying on of an educational program in connection therewith, the assistance of the owners of farms in establishing, improving and renewing wood lots, shelter belts, wind breaks and other valuable forest growths, the growing and renewing of useful timber crops, and the collection and publication of data with respect to the timber and forest resources, or any other matters committed to the Commission by this title; and to make and enforce all regulations and restrictions required for such cooperation, agreements or stipulations; to carry on a program of education and public enlightenment with respect to the timber and forest and other natural resources of Alabama; to make an annual report to the Governor concerning the activities and accomplishments of the Commission for the preceding fiscal year; to recommend to the legislature such legislation as may be needed further to protect, conserve, increase, or to make available or useful the timber and forests and other natural resources of Alabama; to supervise, direct, and manage all activities of the Forestry Commission and its staff and employees.

Section 5. The Commission shall give such advice, assistance and cooperation as may be practicable to private landowners, and promote, so far as it may be able, a proper appreciation in this State among all classes of the population, of the benefits to be derived from forest culture, preservation and use. The Commission may take such measures as may be reasonable and practicable to prevent and suppress forest fires and other influences harmful to forest growth and may apply such parts of the forestry fund and other funds accruing to it as may be necessary to such purposes and to providing such systems of control as it may establish, either independently or in cooperation with the federal government and other agencies, public or private. The Commission shall be the sole cooperating agency in joint work in the promotion and development of forestry and other matters and interests devolving upon it by law, among all classes of land ownership in the State, in which both the State and the federal government may have financial or administrative participation.

The Commission, for the purpose of establishing, developing and maintaining State forests, administrative headquarters sites, tower sites, and other areas necessary for its efficient operation, may acquire land by donation, purchase, condemnation or lease, and for these purposes may use such funds as may be available to it and not otherwise obligated and may enter into agreements with the federal government or other agencies and private landowners for acquiring by lease, purchase or otherwise such lands as in its judgment are desirable or necessary.

When lands are acquired or leased under this Section, the Commission is authorized to make expenditures from any funds not otherwise obligated for the management, development and utilization of such areas, to sell or otherwise dispose of products from such lands to have sole charge of all state forests and other lands that have been acquired hereunder and to have authority to make such rules and regulations for the management, administration, occupancy and use of said lands,

and all property and things of whatsoever nature is therein or thereon, as it shall find necessary.

The Commission shall have full power and authority to sell, exchange, or lease lands under its jurisdiction when in its judgment it is advantageous to the State to do so in the orderly development and management of State forests and other designated areas; provided, however, said sale, lease or exchange shall not be contrary to the terms of any contract which it has entered into.

The Commission may employ such officers, assistants and employees as may be necessary and, as to persons employed wholly or in part in carrying out the provisions of cooperative agreements with the federal government or other agencies, for such compensation heretofore or hereafter paid may use such contributions or receipts as may be derived from the United States or from any private or or philanthropic source.

Section 6. It shall be the duty of the Alabama Forestry Commission to appoint with the advice and consent of the Governor a state forester who shall serve as the executive secretary and administrative officer for the Commission. The person so appointed as the state forester must have earned a minimum of a bachelor or science degree in forestry and must be licensed and registered under the forestry laws of Alabama with considerable experience in the forestry field. The state forester shall receive a salary as fixed by the Commission and shall serve at the pleasure of the Commission and shall receive actual expenses when traveling on official business of the Commission. Until otherwise provided for by the Commission, the present state forester of the Division of Forestry of the Department of Conservation shall continue to serve as the state forester under the Commission. The state forester shall devote his full time to the duties of his office. He shall be required to take the oath of office and give bond in the sum of Fifty Thousand (\$50,000.00).

Section 7. The Commission shall also appoint with the advice and consent of the Governor an assistant state forester, who shall hold at least a bachelor degree in forestry with considerable forestry experience. The assistant state forester shall serve as the chief assistant to the state forester. The assistant state forester's salary shall be set by the Commission and he shall be paid his actual expenses when traveling on official business of the Commission.

Section 8. The Commission shall have its main offices in the City of Montgomery; provided, however, it may establish other district or subdistrict offices throughout the State in such places as it may deem advisable or necessary.

Section 9. No member of the Commission, during the tenure of his office or within two (2) years thereafter, shall be eligible for appointment as state forester or for any employment under the Commission.

Section 10. The Commission shall have the power to adopt and promulgate rules and regulations pertaining to all phases of forestry within this State, which rules and regulations when adopted shall have the force and effect of law. All rules and regulations of the Division of Forestry of the Department of Conservation heretofore promulgated shall continue in effect until repealed or amended by the Commission.

Section 11. All rights, privileges, duties and responsibilities presently placed by law in the Division of Forestry of the Department of Conservation are hereby transferred and charged to the Forestry Com-

mission hereby created, and all assets and liabilities, properties, both real and personal, together with all accounts, books, records and monies of the Division of Forestry of the Department of Conservation, are hereby transferred to the Forestry Commission for its use and benefit.

Section 12. There is hereby created a fund in the state treasury to be known as the Alabama Forestry Commission Fund and upon the effective date of this Act all monies credited to the Division of Forestry shall be transferred to the said Alabama Forestry Commission fund and all monies derived thereafter by the Commission shall be deposited to the credit of said fund.

Section 13. All personnel presently serving within the Division of Forestry of the Department of Conservation are hereby transferred to the Forestry Commission and shall continue to serve in their respective capacities under the direction of the Commission and under the provisions of the State Merit System.

Section 14. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 15. This Act shall become effective thirty (30) days after its passage and approval by the Governor or upon its otherwise becoming a law.

MOTION TO ADOPT CONFERENCE COMMITTEE REPORT

Mr. McCorquodale moved to adopt the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 673, said report being set out in the above and foregoing Report of the Committee of Conference.

Mr. Lyons moved to table the motion of Mr. McCorquodale to adopt the Report of the Committee of Conference.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:45 P.M. On August 12, 1969.

H. 342

Delivered to the Governor at 3:50 P.M. On August 12, 1969.

H. 826

H. 423

H. 765

H. 360

H. 564

H. 874

H. 226

H. 428

H. 510
H. 511
H. 629
H. 722
H. 824
H. 332
H. 78
H. 111
H. 1049
H. 352
H. 138
H. 310
H. 706
H. 929
H. 817
H. 119
H. 213
H. 418
H. 533
H. 556
H. 726
H. 1
H. 557
H. 559
H. 560
H. 561
H. 558
H. 1030
H. 774
H. 1068
H. 1065
H. 681
H. 691
H. 693
H. 801
H. 909

H. 1011
 H. 1040
 H. 1055
 H. 1059
 H. 1060
 H. 1064
 H. 251
 H. 788
 H. 789
 H. 980
 H. 823

Delivered to the Governor at 4:20 P.M. On August 12, 1969.

H. J. R. 117

Delivered to the Secretary of State at 3:58 P.M. on August 12, 1969.

H. 940

H. 1057

JOHN W. PEMBERTON,
 Clerk.

ADJOURNMENT

On motion of Mr. Culver, the House adjourned until twelve o'clock Noon on Thursday, August 14, 1969.

Yeas 44; Nays 38.

Yeas:

Messrs.:	Dill	Hobbie	Neville
Bassett	Dobbs	Kilgore	Owen (Baldwin)
Beck	Doss	Laxson	Pearson
Berryman (W)	Downing	Lemley	Perloff
Blanton	Drake	Manley	Robertson
Brannan	Fine	Marr	Slate
Brassell	Grayson	Mathews	Stembridge
Burgess	Harper	Mays	Watkins
Collier	Haygood	Meade	Weeks
Collins (C)	Headley	Meeks	Williams
Crawford	Higginbotham	Merrill	Wood
Culver			

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Nays:

Messrs.:	Hain	Malone	Springer
Agee	Hardin	McDonald	Starnes
Cameron	Harris	McElhaney	Steagall
Collins (W)	Hill	McLain	Stubbs
Cook (Jefferson)	Holman	Melton	Tuck
Ellis	House	Money	Turnham
Foshee	Jackson (F)	Paulk	Waggoner
Garrett	Jackson (T)	Pennington	Wright
Graham	Jones	Pruitt	Young
Grainger	Lybrand	Sessions	

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THIRTIETH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 14, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend A. F. Howington, Pastor, Capitol Heights United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Downing	Jones	Pearson
Adwell	Drake	Kilgore	Pennington
Agee	Edington	Laxson	Perloff
Bank	Ellis	Lemley	Pruitt
Bassett	Fine	Lybrand	Robertson
Beck	Foshee	Lyons	Sessions
Berryman (W)	Gafford	Malone	Shumate
Blanton	Garrett	Manley	Slate
Bolton	Gloor	Marr	Smith
Bowers	Graham	Mathews	Snell
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Burgreen	Harper	McLain	Stubbs
Cameron	Harris	Meade	Tuck
Collier	Haygood	Melton	Turnham
Collins (C)	Headley	Merrill	Waggoner
Collins (W)	Higginbotham	Money	Watkins
Cook (Coffee)	Hill	Nettles	Weeks
Cook (Jefferson)	Hobbie	Neville	Williams
Crane	Holladay	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Wright
Culver	House	Owens (W.E.)	Yeilding
Dill	Jackson (F)	Paulk	Young
Dobbs	Jackson (T)		

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 218. To provide in all counties having less than 600,000 population according to the last or any subsequent federal decennial census for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Resolution:

H. J. R. 107. Recreating and reconstituting the committee created by Act No. 219, 1967 Special Session.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. O'Bannon, Pierce and Givhan.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases

pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 699, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 118. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirtieth Legislative Day, taking precedence over any other business in the House for this day:

Uncontested Local Bills

SB 208, Page 114

HB 1285, Page 114

HB 50, Page 108

HB 1302, Page 119

HB 1105, Page 87

HB 1107, Page 87

HB 584, Page 35

HB 1002, Page 73

HB 593, Page 43

HB 775, Page 58

HB 993, Page 99

HB 3, Page 71

HB 2, Page 70

HB 44, Page 8

HB 361, Page 11

SB 715, Page 131

HB 447, Page 10

HB 1327, Page 121

HB 151, Page 3

SB 286, Page 132

HB 1063, Page 93

HB 309, Page 9

HB 1313, Page	114
HB 1172, Page	88
HB 1072, Page	87
HB 84, Page	97
HB 377, Page	44
HB 632, Page	36
HB 517, Page	58
HB 1086, Page	77
HB 87, Page	26
HB 690, Page	69
HB 831, Page	102
HB 148, Page	38
HB 95, Page	19
HB 101, Page	12
HB 637, Page	45
HB 1284, Page	113
HB 59, Page	3
HB 719, Page	85
HB 720, Page	84
HB 721, Page	83
HB 240, Page	27
HB 1272, Page	118
HB 147, Page	2
HB 1296, Page	103
HB 875, Page	74
HB 644, Page	109
SB 603, Page	136
HB 666, Page	44
HB 356, Page	82
HB 846, Page	79
HB 203, Page	52
HB 89, Page	8
HB 515, Page	36
HB 516, Page	37
HB 580, Page	41
HB 609, Page	36
HB 526, Page	24
HB 336, Page	24

On motion of Mr. Merrill, H. R. 118 was adopted.

UNANIMOUS CONSENT GRANTED

On motion of Mr. Jackson (T), unanimous consent was granted for the introduction of bills out of order by several members of the House.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Garrett and Melton:

H. 1508. To transfer all portions of any State Forest that lays within boundary of counties having between 22,350 and 24,000 population to the Division of State Parks.

Local Legislation No. 1.

By Mr. Mays:

H. 1509. To transfer all portions of any State Forest that lays within boundary of counties having between 32,500 and 34,000 population to the Division of State Parks.

Local Legislation No. 1.

By Mr. Jackson (T):

H. 1510. To repeal Section 297 of Title 52, Code of Alabama 1940, which relates to the required school attendance of children of certain ages.

Education.

By Messrs. House, Kilgore, Weeks, Holman, Cook (Jefferson), Adwell, Waggoner, Sessions, Money, Crane, Jackson (T) and Bowers:

H. 1511. To provide retirement allowances for elected officials and former elected officials in all municipalities of the State located in a county, which county has population of 600,000 or more according to the last and any subsequent federal census.

Local Legislation No. 2.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1512. To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

Local Legislation No. 1.

Notice and Proof H. 1412:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the

tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 427, Regular Session 1963 (Acts 1963, p. 491) which provides for employment of an additional assistant by the tax collector of Sumter County for portions of each fiscal year is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue or other like governing body of Sumter County shall provide for the employment of one additional clerk in the office of the tax collector for four months of each fiscal year, as needed by the tax collector, to assist him in the performance of his official duties. The clerk shall be entitled to a salary of \$300.00 a month payable out of the general fund of the county, upon the certificate of the tax collector stating that such clerk has actually been employed in his office."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA SUMTER COUNTY

Before me personally appeared Dick Smith, who being duly sworn, states on oath that he is the editor-publisher of the Sumter County Journal, a weekly newspaper published in said county, and the attached notice, in re A Bill—Employment of Assistant by the Tax Collector, was published in said paper for 4 consecutive weeks, viz: July 17, 24, 31 & August 7, 1969.

DICK SMITH.

Sworn to before me this 12th day of August, 1969.

LOUISE W. HANLEY,
Notary Public.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1513. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Local Legislation No. 1.

Notice and Proof H. 1513:

STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187), as amended, is amended further to read as follows:

"Section 8. COUNTY ENGINEER. The Board of Commissioners shall appoint a county engineer in accordance with Title 12, Section 67 of the 1940 Code. The engineer shall serve at the will and pleasure of the board and shall be paid not less than three thousand dollars (\$3,000) nor more than eleven thousand dollars (\$11,000) per year. Subject to general supervision and control by the Board of Commissioners, the engineer shall have charge of the construction and maintenance of all county roads and bridges. The county engineer shall have the power, and it shall be his duty to: (1) employ, supervise, and fix the compensation for such workmen, laborers, and overseers as are necessary to construct, repair, and maintain the roads and bridges of the county; (2) supervise and control the location, placement, use, operation, and disposition of all road-and-bridge materials, supplies, tools, machinery, and equipment; (3) make recommendations concerning the location and extent of road-and-bridge construction and maintenance projects; (4) perform such engineering and surveying services as may be required by the Board of Commissioners; (5) maintain adequate accounting records; (6) perform such other duties as may be necessary in the operation of the county highway system. The county engineer shall utilize the road equipment, materials, and labor force in accordance with the needs of the entire county for road construction and maintenance, without regard to any district boundaries."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA,
SUMTER COUNTY

Before me personally appeared Dick Smith, who being duly sworn, states on oath that he is the editor-publisher of the Sumter County Journal, a weekly newspaper published in said county, and the attached notice, in re A Bill—Compensation of the County Engineer, was published in said paper for 4 consecutive weeks, viz: July 17, 24, 31, & August 7, 1969.

DICK SMITH.

Sworn to before me this 12th day of August, 1969.

LOUISE W. HANLEY,
Notary Public.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1514. Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

Local Legislation No. 1.

Notice and Proof H. 1514:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Sumter County, each member of the board of registrars shall receive \$10 per day to be paid by the state, and \$5 per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA,
SUMTER COUNTY

Before me personally appeared Dick Smith, who being duly sworn, states on oath that he is the editor-publisher of the Sumter County Journal, a weekly newspaper published in said county, and the attached notice, in re A Bill—Compensation of Registrars, was published in said paper for 4 consecutive weeks, viz: July 17, 24, 31 & August 7, 1969.

DICK SMITH.

Sworn to before me this 12th day of August, 1969.

LOUISE W. HANLEY,
Notary Public.

By Messrs. Agee and McCorquodale:

H. 1515. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Agee and McCorquodale:

H. 1516. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

Local Legislation No. 1.

By Messrs. Nettles, Grayson, Edington, Lyons, Perloff, Collins (W) and Downing:

H. 1517. Relating to taxation; providing sales and use tax exemptions to the South Alabama Chapter of the National Multiple Sclerosis Society.

Ways and Means.

By Mr. Neville:

H. 1518. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

Local Legislation No. 1.

By Mr. Springer:

H. 1519. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

Judiciary.

By Mr. Springer:

H. 1520. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280 to 292 inclusive of Title 61, Code of Alabama 1940, as amended, and other inconsistent legislation.

Judiciary.

By Messrs. Brassell and Higginbotham:

H. 1521. To provide specially for the ordering and conduct of elections to be held for the purpose of authorizing the levy within a single school tax district covering all the area of a county lying outside the corporate limits of any city having a population of 2,500 or more, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III; to provide that Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election; and to limit in certain respects the application of Section 268 of Title 52 of the Code of Alabama of 1940 to any such election.

Local Legislation No. 1.

By Mr. Grayson:

H. 1522. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Education.

By Mr. Lybrand:

H. 1523. To provide that every person who participates in any endless chain shall be guilty of a misdemeanor; to provide for the punishment and fine for such misdemeanor; to define endless chain and participate as used in this Act; to limit the definition of compensation as used in this Act; to repeal all laws in conflict.

Judiciary.

By Mr. Lybrand:

H. 1524. To provide that every person who contrives, prepares, sets up, proposes or operates an endless chain is guilty of a felony; to provide for punishment for such felony; to define endless chain as used in this Act; to limit the definition of compensation as used in this Act and to repeal all laws in conflict.

Judiciary.

By Messrs. Merrill, Lybrand, Bank, Smith, Mathews, Steagall and Watkins:

H. 1525. Relating to the Legislative Reference Service and the Legislative Council, amending further Section 1 of Act No. 152, H. 60, Regular Session 1945 (General Acts 1945, p. 190), as amended, so as to provide further for the salary of the director of the Legislative Reference Service.

Judiciary.

By Mr. Paulk:

H. 1526. To fix the compensation of deputy district attorneys of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury.

Local Legislation No. 1.

By Messrs. Hill and Haygood:

H. 1527. Relating to the eleventh judicial circuit; to provide further for the compensation of the judges and the district attorney of such circuit; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Hill and Haygood:

H. 1528. Relating to the eleventh judicial circuit; to provide additional compensation for official court reporters of such circuit; and to repeal conflicting laws.

Local Legislation No. 1.

By Messrs. Owen (Baldwin) and Brannan (with notice and proof):

H. 1529. To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1529:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of

clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Baldwin County, Alabama, shall be entitled to receive in lieu of any fees, commissions, percentages, and allowances, an annual salary of \$20,000.00, which shall include his compensation for all ex-officio duties.

Section 2. The Court of County Commissioners, Board of Revenue or other like governing body of Baldwin County, shall provide compensation for clerks, assistants, and secretaries for the Judge of Probate in such number as may be reasonably necessary for the efficient conduct of the office of Judge of Probate. The Judge of Probate shall select, discharge, and fix the salaries of, his subordinates; provided, however, the maximum allowance for such clerk hire and assistants shall not exceed the sum of \$35,000.00 per annum.

Section. 3. The fees, commissions, percentages, allowances, charges and court costs heretofore collectible for the use of the Judge of Probate shall be paid into the general fund of Baldwin County, from which fund the aforementioned salary of the Judge of Probate and his assistants shall be paid by the County.

Section 4. The Court of County Commissioners, Board of Revenue, or other like governing body shall provide the Judge of Probate with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of the office of the Judge of Probate.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 6. This Act shall supersede Act No. 818, H 1090, Regular Session 1965 (Acts 1965, p. 1530), and all other laws or parts of laws in conflict herewith, insofar as they relate to the office of the Judge of Probate of Baldwin County, Alabama, or the operation thereof.

Section 7. This Act shall take effect on the expiration of the current term of office of the Judge of Probate of Baldwin County, Alabama.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BALDWIN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jimmy Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 24, July 31, August 7, and August 14, all in the year 1969.

JIMMY FAULKNER, JR.

Sworn to and subscribed before me Aug. 14, 1969.

**DOROTHY MARTIN,
Notary Public.**

By Mr. Cameron:

H. 1530. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

State Administration.

By Mr. Dill:

H. 1531. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Local Legislation No. 2.

By Messrs. Dill, Cook (Jefferson), Holman, Bowers, Weeks, Gloor, Money, Sessions, Waggoner, Kilgore and Yeilding:

H. 1532. To further amend Section 5 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (General Acts of Alabama of 1945, page 376, et seq.) entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Local Legislation No. 2.

By Messrs. Dill, Cook (Jefferson), Holman, Bowers, Weeks, Gloor, House, Money, Sessions, Kilgore, Waggoner and Yeilding:

H. 1533. Proposing an amendment to the Constitution of Alabama relating to authorizing the City of Birmingham to alienate or lease any public park or playground or any part or portion thereof.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Pennington, Grainger, McLain, Jones and Laxson:

H. 1534. To amend further Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys

payable from the State treasury, as last amended, so as to delete the provision relative to the district attorney of the twenty-third judicial circuit.

Judiciary.

By Messrs. Starnes, Drake and McDonald:

H. 1535. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

Local Legislation No. 1.

By Messrs. Money, Cook (Jefferson), Holman, House, Bowers, Weeks, Sessions, Kilgore, Waggoner and Jackson (T):

H. 1536. To provide retirement allowances for certain elected officers and former elected officials in all counties of the state having a population of more than 500,000 according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. McCorquodale and Agee:

H. 1537. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

Local Legislation No. 1.

By Messrs. Merrill, Smith, Lybrand, McLain, Steagall, Watkins, Bank, Mathews, Turnham and Fite:

H. 1538. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

Judiciary.

By Messrs. Stembridge and Crawford:

H. 1539. To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1540. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties.

Local Legislation No. 1.

By Messrs. Dill, Meeks, Cook (Jefferson), House, Bowers, Weeks, Gloor, Money, Sessions, Yeilding and Ellis:

H. 1541. To amend Act No. 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Local Legislation No. 2.

By Messrs. Bolton and Smith:

H. 1542. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1543. To provide for meetings of boards of registrars and for files of registered voters in counties of not less than 50,000 nor more than 54,000 population according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Downing, Grayson, Bank, Watkins, Brannan, Cook (Coffee), Meade, Robertson, Culver and Paulk:

H. 1544. Relating to the Pardon and Parole Board, further regulating salaries of the chairman and members.

Ways and Means.

By Mr. Paulk:

H. 1545. Relating to all counties having populations of not less than 12,500 nor more than 13,500 according to the most recent federal decennial census; providing further for certain fees allowed to judges of probate.

Local Legislation No. 1.

By Messrs. Jones, Grainger, Pennington, Laxson and McLain:

H. 1546. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Local Legislation No. 4.

By Messrs. Grainger, Pennington, Laxson, Jones and McLain (with notice and proof):

H. 1547. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by re-defining the boundaries of the five districts of Madison County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 1547:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act 324, Acts of Legislature, Regular Session 1923 approved September 24, 1923 as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, approved July 20, 1931, be and the same is hereby amended to read as follows: "Section 3. That for the purpose of this act and the enforcement thereof, the said County of Madison is hereby divided into five subdivisions, to be known as Districts, and numbered respectively, from one to five, both inclusive. District number one shall embrace and be composed of all that territory now constituting beats or precincts numbered 2, 11, 12, 17 and 23 and known respectively as New Market, Meridianville, Hazel Green, Plevna and Sulphur Springs. District number two shall embrace and be composed of all that territory now constituting beats or precincts numbered 3, 15, 16, 20, 22 and 26 and known respectively as Maysville, Gurley, Deposit, Rock Cut, Hurricane and Ryland. District number three shall embrace and be composed of all that territory now constituting beats or precincts numbered 4, 6, 13, 18, 19 and 25 and known respectively as Colliers, Whitesburg, Popular Ridge, Elon, Owens Cross Roads Districts One and Two and New Hope Districts One and Two. Districts number four shall embrace and be composed of all that territory now constituting beats or precincts numbered 9, 10, 21 and 27 and known respectively as Harvest, Madison Cross Roads, Monrovia and Bobo. District number five shall embrace and be composed of all that territory now constituting beats or precincts numbered 1, 7, 8 and 14 and known respectively as Huntsville, Triana districts one and two, Madison and Dug Hill."

Section 2. All laws, or parts of laws, local, general or special, in conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA)
MADISON COUNTY)

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 2, 7, 12, and 18, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 18th day of August, 1969.

My commission expires April 10, 1971.

OPAL H. DILWORTH,
Notary Public.

By Messrs. Hill and Haygood:

H. 1548. Relating to the eleventh judicial circuit; to provide further for the supplemental compensation of circuit judges in such circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

By Messrs. Hill and Haygood:

H. 1549. To provide further for the supplemental compensation of the district attorney of the eleventh judicial circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

By Messrs. Pennington and Lyons:

H. 1550. To amend Section 269(b) of Title 46 of the Code of Alabama 1940 which relates to the issuance by the State Board of Medical Examiners of certain certificates of qualification without examination.

Health.

By Mr. Grayson:

H. 1551. Relating to the General Sessions Court of Mobile County; further providing for its jurisdiction, powers, duties and rules of procedure, amending Sections 3, 5, 6, 7, 8, 18, 20, 21 and 22 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) as amended, which creates and establishes said General Sessions Court of Mobile County.

Local Legislation No. 3.

RESOLUTION

The following resolution was introduced:

By Mr. Dill:

H. J. R. 119. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That there is hereby created an interim committee on reorganization of state government. This committee shall consist of fifteen members, three of whom shall be members of the House of Representatives to be appointed by the Speaker of the House of Representatives, three of whom shall be members of the Senate to be appointed by the presiding officer of the Senate, three of whom shall be appointed by the Governor, one of whom shall be the Governor,

one of whom shall be the Speaker of the House of Representatives, one of whom shall be the presiding officer of the Senate, and three of whom shall be elected at large by the other twelve members.

This committee will report to the Legislature not later than the seventh legislative day of the next regular session of the Legislature. The committee's report shall consist of recommendations, to be determined at the discretion of the committee, for the reorganization of the executive and legislative branches of the State of Alabama. This committee shall have only the power of recommendation.

This committee shall have the authority to hire, if necessary, a technically trained and professional staff to assist in making a comprehensive study of the reorganization of state government. Any cost so incurred shall be paid from funds heretofore appropriated for the expenses of the Legislature.

The necessary expenses of this study shall be paid from the general fund of the state. The expenses of the members of this committee shall be paid on a per diem basis as are the expenses of the members of the Legislature when the Legislature is in session.

This committee shall be organized not later than thirty days after the adjournment of the 1969 Regular Session of the Legislature.

On motion of Mr. Dill, the rules were suspended and H. J. R. 119 was adopted.

BILLS ON THIRD READING

And the bill:

H. 1169. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Merrill
Agee	Downing	Jackson (T)	Money
Bank	Drake	Jones	Nettles
Bassett	Edgington	Kilgore	Neville
Beck	Fine	Laxson	Owen (Baldwin)
Berryman (W)	Foshee	Lemley	Owens (W)
Blanton	Garrett	Lybrand	Owens (W.E.)
Bowers	Graham	Lyons	Pearson
Brannan	Grainger	Malone	Pennington
Brown	Hain	Manley	Sessions
Cameron	Hardin	Marr	Stembridge
Collier	Harper	Mathews	Stubbs
Collins (C)	Headley	Mays	Tuck
Collins (W)	Hobbie	McCorquodale	Turnham
Cook (Coffee)	Holladay	McDonald	Williams
Culver	Holman	McLain	Wright
Dill	House	Meade	Young

And the bill:

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 69, Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Nettles
Agee	Downing	Jackson (T)	Neville
Bank	Edington	Jones	Owen (Baldwin)
Bassett	Ellis	Kilgore	Owens (W)
Beck	Fine	Laxson	Owens (W.E.)
Berryman (W)	Foshee	Lemley	Pearson
Blanton	Garrett	Lybrand	Robertson
Bolton	Graham	Lyons	Sessions
Bowers	Grayson	Malone	Starnes
Brannan	Hain	Manley	Steagall
Brown	Hardin	Marr	Stembridge
Collier	Harper	Mathews	Stubbs
Collins (C)	Headley	Mays	Tuck
Collins (W)	Higginbotham	McDonald	Turnham
Cook (Coffee)	Holladay	Meade	Williams
Crawford	Holman	Merrill	Wright
Culver	House	Money	Young
Dill			

—69

And the bill:

H. 1261. To provide expense allowances for the judge of the circuit court of the Twenty-Eighth Judicial Circuit of Alabama.

Was taken up.

Mr. Owen (Baldwin) offered the following amendment to the bill, H. 1261:

In Section 1, of H. B. 1261, where the figure "\$3,000" appears, strike and insert in lieu therefor the figure "\$1,800".

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Jackson (T)
Agee	Collins (W)	Graham	Kilgore
Bank	Cook (Coffee)	Grainger	Laxson
Bassett	Crawford	Grayson	Lemley
Beck	Culver	Hain	Lybrand
Berryman (W)	Dill	Hardin	Lyons
Blanton	Dobbs	Haygood	Malone
Bolton	Downing	Headley	Manley
Bowers	Drake	Higginbotham	Marr
Brannan	Edington	Hill	Mays
Brassell	Ellis	Holman	McCorquodale
Cameron	Fine	House	McElhaney
Collier	Foshee	Jackson (F)	Meade

Melton	Owens (W)	Sessions	Tuck
Merrill	Owens (W.E.)	Smith	Turnham
Money	Pearson	Steagall	Williams
Nettles	Perloff	Stembridge	Wright
Neville	Robertson	Stubbs	Young
Owen (Baldwin)			

—73

And the bill, H. 1261, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Money
Adwell	Dill	Holman	Nettles
Agee	Dobbs	House	Owen (Baldwin)
Bassett	Downing	Jackson (F)	Owens (W)
Beck	Drake	Jackson (T)	Owens (W.E.)
Berryman (W)	Edington	Kilgore	Paulk
Blanton	Ellis	Lemley	Pearson
Bolton	Fine	Lybrand	Robertson
Bowers	Foshee	Lyons	Sessions
Brannan	Garrett	Malone	Smith
Brassell	Graham	Manley	Steagall
Brown	Grayson	Marr	Stembridge
Burgess	Hain	Mays	Stubbs
Cameron	Hardin	McCorquodale	Tuck
Collier	Haygood	McElhaney	Turnham
Collins (C)	Headley	Meade	Williams
Collins (W)	Higginbotham	Melton	Wright
Cook (Jefferson)	Hill	Merrill	Young

—72

And the bill:

H. 1263. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was taken up.

Mr. Owen (Baldwin) offered the following substitute to the bill, H. 1263:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1: The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The Judge of Probate shall receive an annual salary of \$18,000, which shall include his compensation for all ex officio duties.

The sheriff shall receive an annual salary of \$16,000.

The clerk of the Circuit Court shall receive an annual salary of \$7,200, which shall include his compensation for all ex officio duties.

The register of the Circuit Court shall receive an annual salary of \$4,800.

Section 2: The Court of County Commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this Act in such number as may be reasonably necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. However, the maximum allowances for clerk hire and salaries for assistants for each of such officers shall be as follows:

For the Probate Judge, the sum of \$35,000 per annum;

For the Sheriff, the sum of \$18,000 excluding salaries for deputy sheriffs.

For the clerk of the Circuit Court, the sum of \$8,000 per annum.

In addition, the sheriff shall be entitled to the allowances payable by the state for feeding the prisoners.

Section 3: The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1, shall be paid into the general fund of the county. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries and other assistants shall be paid in equal monthly installments from the general fund of the county.

Section 4: The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the officers named in this act with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 5: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6: This Act shall supersede Act No. 357, H. 707, Regular Session 1963 (Acts 1963, p. 857), and all other laws or parts of laws in conflict herewith.

Section 7: This Act shall take effect on the expiration of the current term of office of each of the officers who are affected thereby.

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dill	Graham
Adwell	Brown	Dobbs	Grainger
Agee	Cameron	Downing	Grayson
Bassett	Collier	Drake	Hain
Beck	Collins (C)	Edington	Hardin
Berryman (W)	Collins (W)	Ellis	Haygood
Blanton	Cook (Coffee)	Fine	Headley
Bolton	Cook (Jefferson)	Foshee	Higginbotham
Bowers	Crawford	Garrett	Hill
Brannan	Culver	Gloor	Hobbie

Holman	Manley	Nettles	Steagall
House	Marr	Neville	Stembridge
Jackson (F)	Mays	Owen (Baldwin)	Stubbs
Jackson (T)	McCorquodale	Owens (W)	Tuck
Kilgore	McElhaney	Owens (W.E.)	Turnham
Lemley	Meade	Paulk	Williams
Lybrand	Melton	Pearson	Wright
Lyons	Merrill	Robertson	Young
Malone	Money	Sessions	

—75

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Neville
Adwell	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W)
Bassett	Edington	Jones	Owens (W.E.)
Beck	Ellis	Kilgore	Pearson
Berryman (W)	Fine	Lemley	Pennington
Bowers	Foshee	Lybrand	Perloff
Brannan	Garrett	Lyons	Robertson
Brassell	Gloor	Manley	Sessions
Brown	Graham	Marr	Steagall
Collier	Grainger	Mays	Stembridge
Collins (C)	Grayson	McCorquodale	Tuck
Collins (W)	Hain	McElhaney	Turnham
Cook (Coffee)	Hardin	Meade	Weeks
Cook (Jefferson)	Haygood	Melton	Williams
Crawford	Headley	Merrill	Wright
Culver	Higginbotham	Money	Young
Dill	Holman	Nettles	

—71

And the bill:

H. 1265. Applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman.

Was taken up.

Mr. Owen (Baldwin) offered the following amendment to the bill, H. 1265:

In Section 2, of H. B. 1265, where the figure "\$150" appears, strike and insert in lieu therefor the figure "\$100"

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cook (Coffee)	Fine
Adwell	Brannan	Crawford	Foshee
Agee	Brassell	Dobbs	Garrett
Bassett	Brown	Downing	Gloor
Beck	Collier	Drake	Graham
Berryman (W)	Collins (C)	Edington	Grainger
Blanton	Collins (W)	Ellis	Grayson

Hardin	Lyons	Money	Robertson
Haygood	Malone	Nettles	Steagall
Higginbotham	Manley	Neville	Stembridge
Holman	Marr	Owen (Baldwin)	Stubbs
House	Mays	Owens (W)	Tuck
Jackson (F)	McCorquodale	Owens (W.E.)	Turnham
Jackson (T)	McElhaney	Paulk	Weeks
Kilgore	Meade	Pearson	Williams
Lemley	Melton	Pennington	Wright
Lybrand	Merrill	Perloff	Young

—68

And the bill, H. 1265, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Culver	House	Nettles
Adwell	Dobbs	Jackson (F)	Neville
Agee	Downing	Jackson (T)	Owen (Baldwin)
Bassett	Drake	Jones	Owens (W)
Beck	Edington	Kilgore	Paulk
Berryman (W)	Ellis	Lemley	Pearson
Blanton	Fine	Lybrand	Pennington
Bolton	Foshee	Lyons	Perloff
Brannan	Garrett	Malone	Robertson
Brassell	Gloor	Manley	Steagall
Brown	Graham	Marr	Stembridge
Cameron	Grainger	Mays	Stubbs
Collier	Grayson	McCorquodale	Tuck
Collins (C)	Hain	McElhaney	Weeks
Collins (W)	Hardin	Meade	Williams
Cook (Coffee)	Headley	Melton	Wright
Cook (Jefferson)	Higginbotham	Merrill	Young
Crawford	Holman	Money	

—71

RESOLUTION

The following resolution was introduced:

By Messrs. McDonald and Starnes:

H. R. 120. WHEREAS our eminently astute and dedicated colleague who so ably fills Place Number Three from the Seventh Representative District, composed of the counties of Cullman and Marshall, has long been interested in chicken litter and the useful purposes which it serves; and

WHEREAS our good friend saw the need for this important piece of legislation to exempt chicken litter from all sales and use tax. He drafted it, without assistance, to accomplish the purposes to be served and was its sole sponsor upon its introduction. He fought hard and valiantly to forward its progress through the tortuous legislative process and finally succeeded in securing its passage; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That H. B. 368 be named "The Tom Drake Chicken Litter Exemption Act of 1969", as a fitting and proper tribute to the outstanding efforts of Representative Drake in securing its passage.

On motion of Mr. McDonald, the rules were suspended and H. R. 120 was adopted.

MOTION TO RECONSIDER H. 1169

Having voted with the prevailing side, Mr. Laxson moved to reconsider the vote by which the bill, H. 1169, was passed, and the motion was adopted.

On motion of Mr. Laxson, the bill, H. 1169, was carried over to the thirty-first legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1035 (with amendment): To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1 delete that paragraph which is designated Parcel Ten.

Also, in Section 1 delete from the paragraph designated Parcel Seven, the words, Township 20, and substitute therefor the words: Township 21.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owens (W)
Bassett	Ellis	Lemley	Owens (W.E.)
Beck	Fine	Lybrand	Paulk
Berryman (W)	Foshee	Lyons	Pearson
Blanton	Gafford	Malone	Perloff
Bolton	Garrett	Manley	Robertson
Brannan	Gloor	Marr	Sessions
Brassell	Graham	Mathews	Starnes
Collier	Grainger	Mays	Steagall
Collins (C)	Grayson	McCorquodale	Stembridge
Collins (W)	Hardin	McDonald	Stubbs
Cook (Coffee)	Headley	Meade	Tuck
Crawford	Hill	Melton	Turnham
Culver	Holman	Merrill	Weeks
Dill	House	Money	Williams
Dobbs	Jackson (F)	Nettles	Wright
Downing	Jackson (T)	Neville	Young
Drake	Jones	Owen (Baldwin)	

—71

And the bill, H. 1035, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Owens (W)
Agee	Fine	Lybrand	Owens (W.E.)
Bassett	Foshee	Lyons	Paulk
Beck	Gafford	Malone	Pearson
Blanton	Garrett	Manley	Perloff
Brannan	Graham	Marr	Robertson
Brassell	Grainger	Mathews	Sessions
Brown	Grayson	Mays	Starnes
Collier	Hain	McCorquodale	Steagall
Collins (C)	Hardin	McDonald	Stembridge
Collins (W)	Headley	Meade	Stubbs
Cook (Coffee)	Holman	Melton	Tuck
Culver	House	Merrill	Turnham
Dill	Jackson (F)	Money	Waggoner
Dobbs	Jackson (T)	Nettles	Weeks
Downing	Jones	Neville	Williams
Edington	Kilgore	Owen (Baldwin)	Young

—68

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Harper and Collier:

H. J. R. 121. WHEREAS J. G. "Hot" O'Brien has completed thirty-two years of loyal and devoted service to Tallassee High School, and the Board of Education of Tallassee, Alabama; and

WHEREAS Mr. O'Brien has contributed greatly to the athletic and intellectual development of the youth of Tallassee through his years as head coach, teacher and principal; and

WHEREAS his services as director of the city's recreation program, as President of the Rotary Club and as a dedicated layman in his church have long benefited his community and the people of all ages with whom he has been in contact; and

WHEREAS Mr. O'Brien has been honored by the people of Tallassee and by the Mayor with the proclamation of J. E. "Hot" O'Brien Appreciation Day, to take place Saturday, August 16, 1969; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we join the Mayor, and the city of Tallassee in honoring and commending Mr. O'Brien for his exemplary career of community service.

BE IT FURTHER RESOLVED that a copy of this resolution be send to Coach O'Brien, the Tallassee Tribune and the Tallassee High School.

On motion of Mr. Harper, the rules were suspended and H. J. R. 121 was adopted.

Also:

By Messrs. Fite and Fine:

H. J. R. 122. WHEREAS, it is the will and intent of this legislature to authorize and create an advisory board to the Tombigbee Valley Development Authority, established by law by this Legislature in 1967; and approved by a Constitutional Referendum in December of that year; and

WHEREAS, this Advisory Board shall be constituted of two or more members from each of the Counties of Greene, Pickens, Sumter, Lamar, Marion, Fayette and Tuscaloosa; and

WHEREAS, these are the Counties to be most affected by the total development of the flood control, improvement, and future development of the tributaries of the Tombigbee River in Alabama, and the promotion of municipal and industrial water supplies for areas in these counties in cooperation and conjunction with the U. S. Army Corps of Engineers and any other Federal and State Agencies as necessary; and

WHEREAS, these members of the Advisory Board of the Tombigbee Valley Development Authority shall receive no salary or compensation other than actual expenses incurred in official business involving the duties, obligations, and meetings of the Advisory Board and such expenses shall be paid by the Tennessee-Tombigbee Waterway Development Authority or the governing bodies of the respective Counties; and

WHEREAS, this Advisory Board has no authority to tax or raise money, but it has the powers to accept grants of money, real estate, public or private property, from any federal, state, county, city or individual, and

WHEREAS, it is the will, intent and purpose of this Legislature to confer, no other powers to this Advisory Board other than those powers conferred upon it officially by the State Corporation, the Tombigbee Valley Development Authority, composed of the Governor, Presiding Officer of the Senate, Speaker of the House, State Finance Director, State Highway Director, and State Docks Director.

WHEREAS, the Governor shall appoint the members of the Advisory Board of the Tombigbee Valley Development Authority, upon the recommendations of the Tombigbee Valley Development Authority. All members appointed to this Board shall receive original copies of this resolution.

On motion of Mr. Fine, the rules were suspended and H. J. R. 122 was adopted.

And the bill:

H. 1253. Relating to counties having a population of not less than 21,900 nor more than 22,300, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Graham	Kilgore
Agee	Crawford	Grainger	Lybrand
Bassett	Culver	Grayson	Malone
Beck	Dill	Hain	Manley
Berryman (W)	Dobbs	Hardin	Marr
Blanton	Downing	Harris	Mathews
Bolton	Drake	Haygood	Mays
Bowers	Edington	Headley	McCorquodale
Brannan	Ellis	Holman	McDonald
Brassell	Foshee	House	McElhaney
Collier	Gafford	Jackson (F)	McLain
Collins (C)	Gloor	Jones	Meade

Melton	Owens (W)	Snell	Turnham
Merrill	Paulk	Starnes	Waggoner
Money	Pearson	Steagall	Weeks
Nettles	Perloff	Stembridge	Williams
Neville	Robertson	Stubbs	Wright
Owen (Baldwin)	Sessions	Tuck	Young

—72

And the bill:

H. 1290. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to provide for an expense allowance for certain officers to be paid from the general funds of the county; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Paulk
Adwell	Edington	Lybrand	Pearson
Agee	Ellis	Lyons	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Graham	Mathews	Snell
Bolton	Grainger	Mays	Starnes
Bowers	Grayson	McCorquodale	Steagall
Brannan	Hain	McDonald	Stembridge
Brassell	Hardin	McElhaney	Stubbs
Collier	Haygood	McLain	Tuck
Collins (C)	Headley	Meade	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Holman	Money	Weeks
Crawford	House	Nettles	Williams
Culver	Jackson (F)	Owen (Baldwin)	Wood
Dill	Jones	Owens (W)	Wright
Dobbs	Kilgore	Owens (W.E.)	Young
Downing			

—77

And the bill:

H. 1333. To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Collier	Drake	Graham
Bank	Collins (C)	Edington	Grainger
Beck	Collins (W)	Ellis	Grayson
Berryman (W)	Culver	Fine	Hain
Brannan	Dill	Foshee	Hardin
Brassell	Dobbs	Gafford	Harris
Brown	Downing	Gloor	Haygood

Headley	Manley	Owens (W)	Stembridge
Higginbotham	Marr	Owens (W.E.)	Stubbs
Hobbie	Mays	Paulk	Tuck
Holman	McElhaney	Pearson	Turnham
Jackson (F)	Meade	Perloff	Waggoner
Jackson (T)	Melton	Pruitt	Weeks
Jones	Merrill	Robertson	Williams
Kilgore	Money	Sessions	Wood
Lemley	Nettles	Snell	Wright
Lybrand	Neville	Starnes	Young
Lyons	Owen (Baldwin)		

—70

And the bill:

H. 1335. To establish a barber commission in counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; to define its duties and powers; and to authorize the county governing body to furnish such commission office space, fixtures and clerical assistance; to fix and provide for payment of the compensation of the commissioners.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)
Adwell	Edington	Jones	Pearson
Bank	Ellis	Kilgore	Perloff
Bassett	Fine	Lemley	Sessions
Beck	Foshee	Lyons	Snell
Berryman (W)	Garrett	Manley	Starnes
Bolton	Graham	Marr	Steagall
Bowers	Grainger	Mays	Stembridge
Brannan	Grayson	McDonald	Stubbs
Brassell	Hain	McElhaney	Tuck
Brown	Hardin	Meade	Turnham
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Higginbotham	Money	Williams
Dill	Hobbie	Nettles	Wood
Dobbs	Holman	Owen (Baldwin)	Young
Downing	Jackson (F)	Owens (W)	

—67

And the bill:

H. 1336. Relating to counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; providing further for the distribution of fines from convictions in certain cases of traffic violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Beck	Bowers	Collins (C)
Agee	Berryman (W)	Brassell	Collins (W)
Bank	Blanton	Brown	Culver
Bassett	Bolton	Collier	Dill

Dobbs	Harper	Manley	Perloff
Downing	Harris	Marr	Pruitt
Drake	Haygood	Mays	Robertson
Edington	Higginbotham	McElhaney	Sessions
Ellis	Hill	Meade	Snell
Fine	Hobbie	Melton	Starnes
Foshee	House	Merrill	Steagall
Gafford	Jackson (F)	Money	Tuck
Garrett	Jackson (T)	Nettles	Turnham
Graham	Jones	Neville	Weeks
Grainger	Laxson	Owens (W)	Williams
Grayson	Lemley	Owens (W.E.)	Wood
Hain	Lybrand	Paulk	Wright
Hardin	Lyons	Pearson	Young

—72

And the bill:

H. 1343. Relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business for certain county officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Fine	Jackson (T)	Owens (W)
Adwell	Foshee	Jones	Owens (W.E.)
Agee	Gafford	Kilgore	Paulk
Bassett	Garrett	Laxson	Pearson
Beck	Graham	Lemley	Perloff
Berryman (W)	Grainger	Lybrand	Pruitt
Bowers	Grayson	Lyons	Robertson
Brannan	Hain	Malone	Snell
Brassell	Hardin	Manley	Starnes
Brown	Harper	Marr	Steagall
Collier	Harris	Mays	Stembridge
Collins (C)	Haygood	McElhaney	Stubbs
Cook (Coffee)	Headley	Meade	Tuck
Culver	Higginbotham	Melton	Turnham
Dobbs	Hill	Merrill	Weeks
Downing	Hobbie	Money	Williams
Drake	Holman	Nettles	Wood
Edington	House	Neville	Wright
Ellis	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 1345. Relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Paulk
Adwell	Ellis	Laxson	Pearson
Agee	Foshee	Lemley	Pennington
Bank	Graham	Lybrand	Perloff
Bassett	Grainger	Lyons	Pruitt
Beck	Grayson	Malone	Sessions
Berryman (W)	Hain	Manley	Snell
Blanton	Hardin	Marr	Starnes
Bowers	Harper	Mays	Steagall
Brannan	Harris	McElhanev	Stembridge
Brassell	Haygood	Meade	Tuck
Collier	Higginbotham	Melton	Turnham
Collins (C)	Hill	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Weeks
Culver	Holman	Nettles	Williams
Dill	House	Owen (Baldwin)	Wood
Dobbs	Jackson (F)	Owens (W)	Wright
Downing	Jackson (T)	Owens (W.E.)	Yeilding
Drake	Jones		

—74

And the bill:

H. 1346. Relating to counties having a population of not less than 25,400 and not more than 25,500 and establishing the procedure for the selection of a depository of the funds of the Board of Education of any county to which this act applies and fixing the compensation for the members of the County Board of Education in any county to which this act applies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owens (W.E.)
Adwell	Ellis	Lemley	Paulk
Agee	Fine	Lybrand	Pennington
Bank	Gafford	Lyons	Perloff
Bassett	Graham	Malone	Pruitt
Beck	Grainger	Manley	Sessions
Berryman (W)	Grayson	Marr	Snell
Blanton	Hain	Mays	Starnes
Brannan	Hardin	McDonald	Steagall
Brassell	Harper	McElhanev	Stembridge
Brown	Harris	Meade	Tuck
Collier	Haygood	Melton	Turnham
Collins (C)	Higginbotham	Merrill	Waggoner
Crawford	Hobbie	Money	Weeks
Dill	Holman	Nettles	Williams
Dobbs	House	Neville	Wood
Downing	Jackson (T)	Owen (Baldwin)	Wright
Drake	Jones	Owens (W)	Yeilding

—72

And the bill:

H. 1347. Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owens (W.E.)
Adwell	Fine	Laxson	Paulk
Agee	Foshee	Lemley	Pearson
Bank	Gafford	Lybrand	Pennington
Bassett	Graham	Lyons	Perloff
Beck	Grainger	Malone	Pruitt
Berryman (W)	Grayson	Manley	Robertson
Blanton	Hain	Marr	Sessions
Brannan	Hardin	Mays	Snell
Brassell	Harper	McDonald	Starnes
Brown	Harris	McElhaney	Steagall
Collier	Haygood	Meade	Stembridge
Collins (C)	Higginbotham	Melton	Tuck
Crawford	Hill	Merrill	Turnham
Culver	Hobbie	Money	Weeks
Dill	Holman	Nettles	Williams
Dobbs	House	Neville	Wood
Downing	Jackson (F)	Owen (Baldwin)	Wright
Drake	Jackson (T)	Owens (W)	Yeilding
Edington	Jones		

—78

And the bill:

H. 1348. Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owens (W)
Adwell	Fine	Kilgore	Owens (W.E.)
Agee	Gafford	Laxson	Paulk
Bank	Garrett	Lemley	Pennington
Bassett	Graham	Lybrand	Perloff
Beck	Grainger	Lyons	Pruitt
Berryman (W)	Grayson	Malone	Robertson
Blanton	Hain	Manley	Sessions
Bolton	Hardin	Marr	Snell
Brannan	Harper	Mays	Starnes
Brassell	Harris	McDonald	Steagall
Collier	Haygood	McElhaney	Stembridge
Collins (C)	Higginbotham	Meade	Tuck
Crawford	Hobbie	Melton	Turnham
Culver	Holladay	Merrill	Waggoner
Dill	Holman	Money	Williams
Dobbs	House	Nettles	Wood
Downing	Jackson (F)	Neville	Wright
Drake	Jackson (T)	Owen (Baldwin)	Yeilding
Edington			

—77

And the bill:

H. 1349. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Neville
Adwell	Ellis	Kilgore	Owen (Baldwin)
Agee	Fine	Laxson	Owens (W.E.)
Bank	Gafford	Lemley	Paulk
Bassett	Garrett	Lybrand	Pearson
Beck	Graham	Lyons	Perloff
Berryman (W)	Grainger	Malone	Pruitt
Blanton	Grayson	Manley	Robertson
Bolton	Hain	Marr	Snell
Brannan	Hardin	Mathews	Starnes
Brassell	Harper	Mays	Steagall
Burgess	Harris	McDonald	Tuck
Collier	Haygood	McElhaney	Waggoner
Collins (C)	Higginbotham	McLain	Williams
Collins (W)	Hobbie	Meade	Wood
Culver	Holman	Melton	Wright
Dobbs	House	Merrill	Yeilding
Downing	Jackson (F)	Money	Young
Drake	Jackson (T)	Nettles	

—75

And the bill:

H. 1352. Relating to counties having a population of not less than 16,300 and not more than 17,300 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Graham	Jackson (T)
Adwell	Collins (W)	Grainger	Jones
Agee	Crawford	Grayson	Kilgore
Bank	Culver	Hain	Laxson
Bassett	Dobbs	Hardin	Lemley
Beck	Downing	Harper	Lyons
Berryman (W)	Drake	Harris	Manley
Blanton	Edington	Higginbotham	Marr
Brannan	Ellis	Hobbie	Mathews
Brassell	Fine	Holman	Mays
Brown	Foshee	House	McDonald
Collier	Garrett	Jackson (F)	McElhaney

McLain	Owen (Baldwin)	Snell	Waggoner
Meade	Owens (W)	Starnes	Weeks
Melton	Owens (W.E.)	Steagall	Williams
Merrill	Paulk	Stembridge	Wood
Money	Pearson	Tuck	Wright
Nettles	Perloff	Turnham	Yeilding
Neville	Robertson		

—74

And the bill:

H. 1353. Providing further for the construction, maintenance and repair of roads and bridges in Colbert County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Colbert County; providing for the transfer from the state highway department to the Colbert County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Colbert County roads and bridges; providing for the appointment of a county engineer; repealing Act No. 645, S. 593, Regular Session of 1965 (Acts 1965, p. 1164) and other conflicting laws; providing that this Act shall become effective only if approved at a referendum election in Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bank	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Garrett	Malone	Robertson
Blanton	Graham	Manley	Sessions
Bowers	Grainger	Marr	Snell
Brannan	Hain	Mays	Starnes
Brassell	Hardin	McDonald	Steagall
Brown	Harper	McElhaney	Stembridge
Collier	Harris	McLain	Tuck
Collins (C)	Higginbotham	Meade	Turnham
Collins (W)	Hobbie	Melton	Weeks
Crawford	Holman	Money	Williams
Culver	House	Nettles	Wood
Dill	Jackson (F)	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Owens (W.E.)	Young
Drake	Kilgore	Paulk	

—75

And the bill:

H. 1358. To divide Houston County into four commissioners' districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)
Adwell	Edington	Kilgore	Paulk
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (W)	Garrett	Lyons	Pruitt
Blanton	Graham	Malone	Robertson
Bolton	Grainger	Manley	Sessions
Bowers	Grayson	Marr	Snell
Brannan	Hain	Mathews	Starnes
Brassell	Hardin	Mays	Steagall
Brown	Harper	McDonald	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Higginbotham	Melton	Weeks
Collins (W)	Hobbie	Merrill	Williams
Crawford	Holladay	Money	Wood
Culver	Holman	Nettles	Wright
Dill	House	Neville	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 1359. To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owens (W)
Adwell	Fine	Kilgore	Owens (W.E.)
Agee	Foshee	Laxson	Paulk
Bassett	Garrett	Lemley	Pearson
Beck	Graham	Lyons	Pennington
Berryman (W)	Grainger	Malone	Perloff
Blanton	Grayson	Manley	Pruitt
Bolton	Hain	Marr	Robertson
Brannan	Hardin	Mathews	Snell
Brassell	Harper	Mays	Steagall
Brown	Harris	McDonald	Stembridge
Collier	Haygood	Meade	Tuck
Collins (C)	Higginbotham	Melton	Turnham
Collins (W)	Hill	Merrill	Williams
Crawford	Hobbie	Money	Wood
Culver	Holman	Nettles	Wright
Downing	House	Neville	Yeilding
Edington	Jackson (F)	Owen (Baldwin)	Young

—72

And the bill:

H. 1360. Relating to Franklin County; to fix the compensation of members of the jury commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owen (Baldwin)
Adwell	Fine	Kilgore	Owens (W)
Agee	Foshee	Laxson	Owens (W.E.)
Bank	Gafford	Lemley	Pearson
Bassett	Garrett	Lybrand	Pennington
Beck	Graham	Lyons	Perloff
Berryman (W)	Grainger	Malone	Pruitt
Blanton	Grayson	Manley	Robertson
Bolton	Hain	Marr	Snell
Bowers	Hardin	Mathews	Tuck
Brannan	Harpe:	Mays	Turnham
Brassell	Harris	McDonald	Weeks
Collier	Haygood	Meade	Williams
Collins (C)	Higginbotham	Melton	Wood
Collins (W)	Hill	Merrill	Wright
Culver	Hobbie	Money	Yeilding
Downing	House	Nettles	Young
Edington	Jackson (F)	Neville	

—71

And the bill:

H. 1361. Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owen (Baldwin)
Agee	Fine	Laxson	Owens (W)
Bank	Foshee	Lemley	Owens (W.E.)
Bassett	Gafford	Lybrand	Paulk
Beck	Garrett	Lyons	Pearson
Berryman (W)	Gloor	Malone	Pennington
Blanton	Graham	Manley	Perloff
Bowers	Grayson	Marr	Pruitt
Brannan	Hain	Mathews	Robertson
Brassell	Hardin	Mays	Snell
Burgess	Harper	McDonald	Starnes
Collier	Harris	McElhaney	Steagall
Collins (C)	Haygood	Meade	Tuck
Collins (W)	Higginbotham	Melton	Weeks
Crawford	Hill	Merrill	Williams
Culver	Hobbie	Money	Wood
Dobbs	House	Nettles	Yeilding
Downing	Jackson (F)	Neville	Young
Edington	Jones		

—74

And the bill:

H. 1362. Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county

of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owens (W.E.)
Adwell	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pearson
Bank	Foshee	Lybrand	Pennington
Bassett	Gafford	Lyons	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Blanton	Graham	Mays	Snell
Bolton	Grayson	McCorquodale	Starnes
Bowers	Hain	McDonald	Steagall
Brannan	Hardin	McElhaney	Tuck
Brassell	Harper	Meade	Turnham
Collier	Harris	Melton	Wagoner
Collins (C)	Higginbotham	Merrill	Weeks
Collins (W)	Hill	Money	Williams
Crawford	Hobbie	Nettles	Wood
Culver	House	Neville	Wright
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Owens (W)	Young
Drake	Jones		

—78

And the bill:

H. 1363. Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Paulk
Adwell	Fine	Lybrand	Pearson
Agee	Foshee	Lyons	Pennington
Bank	Gafford	Malone	Perloff
Bassett	Garrett	Manley	Pruitt
Beck	Graham	Mathews	Robertson
Berryman (W)	Grainger	McCorquodale	Sessions
Blanton	Hain	McDonald	Snell
Brannan	Hardin	McElhaney	Starnes
Brassell	Harper	Meade	Steagall
Collier	Harris	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Money	Weeks
Crawford	Hobbie	Nettles	Williams
Culver	House	Neville	Wood
Dill	Jackson (T)	Owen (Baldwin)	Wright
Downing	Jones	Owens (W)	Yeilding
Drake	Kilgore	Owens (W.E.)	Young
Edington			

—73

And the bill:

H. 1364. Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Owens (W.E.)
Adwell	Fine	Lybrand	Paulk
Agee	Foshee	Lyons	Pearson
Bassett	Gafford	Malone	Pennington
Beck	Garrett	Manley	Perloff
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Sessions
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McDonald	Starnes
Collier	Harper	McElhaney	Steagall
Collins (C)	Harris	Meade	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Crawford	Hill	Merrill	Williams
Culver	Hobbie	Money	Wood
Dill	House	Nettles	Wright
Downing	Jackson (T)	Owen (Baldwin)	Yeilding
Drake	Jones	Owens (W)	Young
Edington	Kilgore		

—70

And the bill:

H. 1365. Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Paulk
Adwell	Ellis	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bank	Foshee	Lyons	Perloff
Bassett	Gafford	Malone	Pruitt
Berryman (W)	Garrett	Manley	Robertson
Blanton	Graham	Marr	Sessions
Bolton	Grainger	Mays	Snell
Bowers	Grayson	McCorquodale	Starnes
Brannan	Hain	McDonald	Steagall
Brassell	Hardin	McElhaney	Stembridge
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Turnham
Collins (W)	Higginbotham	Money	Weeks
Crawford	Hobbie	Nettles	Williams
Culver	House	Neville	Wood
Dill	Jackson (F)	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Owens (W.E.)	Young
Drake			

—77

And the bill:

H. 1366. Relating to Franklin County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lybrand	Paulk
Agee	Gafford	Lyons	Pearson
Bank	Garrett	Malone	Pennington
Bassett	Graham	Manley	Perloff
Beck	Grainger	Marr	Pruitt
Berryman (W)	Grayson	Mathews	Robertson
Blanton	Hain	Mays	Sessions
Bowers	Hardin	McCorquodale	Snell
Brannan	Harper	McDonald	Starnes
Brassell	Harris	McElhaney	Steagall
Collier	Higginbotham	Melton	Stembridge
Collins (C)	Hobbie	Merrill	Tuck
Collins (W)	House	Money	Turnham
Crawford	Jackson (F)	Nettles	Weeks
Culver	Jackson (T)	Neville	Williams
Dill	Jones	Owen (Baldwin)	Wood
Dobbs	Laxson	Owens (W)	Wright
Downing	Lemley	Owens (W.E.)	Yeilding
Ellis			

—73

And the bill:

H. 1367. Relating to Franklin County; to regulate the compensation of jurors.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W.E.)
Agee	Ellis	Lemley	Paulk
Bassett	Fine	Lybrand	Pearson
Beck	Gafford	Lyons	Perloff
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Gloor	Manley	Robertson
Bolton	Graham	Marr	Sessions
Bowers	Grayson	Mathews	Snell
Brannan	Hain	Mays	Starnes
Brassell	Hardin	McCorquodale	Steagall
Collier	Harper	McElhaney	Stembridge
Collins (C)	Harris	Meade	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Crawford	Hobbie	Merrill	Weeks
Culver	Holman	Money	Williams
Dill	House	Nettles	Wood
Dobbs	Jackson (F)	Neville	Wright
Downing	Jackson (T)	Owen (Baldwin)	Yeilding
Drake	Jones	Owens (W)	Young

—76

And the bill:

H. 1368. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pearson
Bank	Foshee	Lybrand	Pennington
Bassett	Gafford	Lyons	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Blanton	Graham	Marr	Sessions
Bolton	Grayson	Mathews	Snell
Bowers	Hain	Mays	Starnes
Brannan	Hardin	McCorquodale	Steagall
Brassell	Harper	McElhaney	Stembridge
Collier	Harris	Meade	Tuck
Collins (C)	Higginbotham	Melton	Turnham
Collins (W)	Hobbie	Merrill	Weeks
Crawford	Holladay	Money	Williams
Culver	Holman	Nettles	Wood
Dill	Jackson (F)	Neville	Wright
Dobbs	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young
Drake	Kilgore	Owens (W.E.)	

—79

And the bill:

H. 1369. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Harris	Malone
Agee	Downing	Headley	Manley
Bank	Drake	Higginbotham	Marr
Beck	Ellis	Hobbie	Mathews
Blanton	Fine	Holman	Mays
Bolton	Foshee	House	McElhaney
Bowers	Gafford	Jackson (F)	Meade
Brannan	Garrett	Jackson (T)	Melton
Brassell	Gloor	Jones	Merrill
Collier	Graham	Kilgore	Money
Collins (W)	Grainger	Laxson	Nettles
Crawford	Grayson	Lemley	Neville
Culver	Hain	Lybrand	Owen (Baldwin)
Dill	Hardin	Lyons	Owens (W)

Owens (W.E.)	Pruitt	Steagall	Williams
Paulk	Robertson	Stembridge	Wood
Pearson	Sessions	Tuck	Yeilding
Pennington	Snell	Turnham	Young
Perloff	Starnes	Weeks	

—75

And the bill:

H. 1370. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Fine	Jones	Owens (W.E.)
Agee	Foshee	Kilgore	Paulk
Bank	Gafford	Laxson	Pearson
Beck	Garrett	Lemley	Pennington
Berryman (W)	Gloor	Lybrand	Perloff
Blanton	Graham	Lyons	Pruitt
Bolton	Grainger	Malone	Robertson
Bowers	Grayson	Manley	Sessions
Brannan	Hain	Marr	Snell
Brassell	Hardin	Mathews	Starnes
Cherner	Harper	Mays	Steagall
Collier	Harris	McElhaney	Stembridge
Collins (C)	Headley	Meade	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Crawford	Hobbie	Merrill	Waggoner
Culver	Holladay	Money	Weeks
Dill	Holman	Nettles	Williams
Dobbs	House	Neville	Wood
Downing	Jackson (F)	Owen (Baldwin)	Yeilding
Drake	Jackson (T)	Owens (W)	Young
Ellis			

—81

And the bill:

H. 1371. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Blanton	Brannan	Collins (C)
Beck	Bolton	Brassell	Collins (W)
Berryman (W)	Bowers	Collier	Culver

Dill	Harper	Manley	Perloff
Dobbs	Harris	Marr	Pruitt
Downing	Headley	Mathews	Robertson
Drake	Higginbotham	Mays	Sessions
Edington	Hobbie	Meade	Snell
Ellis	Holladay	Melton	Starnes
Foshee	Holman	Merrill	Steagall
Gafford	Jackson (F)	Money	Stembridge
Garrett	Jackson (T)	Nettles	Stubbs
Gloor	Jones	Neville	Waggoner
Graham	Kilgore	Owen (Baldwin)	Weeks
Grainger	Laxson	Owens (W)	Williams
Grayson	Lybrand	Owens (W.E.)	Wood
Hain	Lyons	Paulk	Yeilding
Hardin	Malone	Pennington	Young

—72

And the bill:

H. 1372. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Paulk
Agee	Fine	Lyons	Pearson
Bank	Garrett	Malone	Pennington
Bassett	Gloor	Manley	Perloff
Beck	Graham	Marr	Pruitt
Berryman (W)	Grainger	Mathews	Robertson
Blanton	Grayson	Mays	Sessions
Bowers	Hain	McCorquodale	Snell
Brannan	Hardin	McElhaney	Starnes
Brassell	Harper	Meade	Steagall
Collier	Harris	Melton	Stubbs
Collins (C)	Higginbotham	Merrill	Tuck
Collins (W)	Hobbie	Money	Weeks
Culver	Holman	Neville	Williams
Dill	Jackson (T)	Owen (Baldwin)	Wood
Dobbs	Jones	Owens (W)	Yeilding
Downing	Kilgore	Owens (W.E.)	Young
Drake	Laxson		

—70

And the bill:

H. 1373. Relating to counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to fix the compensation of the chairman and each member of the board of equalization in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)
Agee	Edington	Jones	Paulk
Bank	Fine	Kilgore	Pearson
Bassett	Foshee	Laxson	Pennington
Beck	Gafford	Lybrand	Perloff
Berryman (W)	Garrett	Lyons	Pruitt
Blanton	Gloor	Malone	Robertson
Bolton	Graham	Manley	Sessions
Bowers	Grainger	Marr	Snell
Brannan	Grayson	Mathews	Starnes
Brassell	Hain	Mays	Steagall
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Melton	Weeks
Crawford	Higginbotham	Merrill	Williams
Culver	Hobbie	Money	Wood
Dill	Holman	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing	Jackson (F)	Owens (W)	

—75

And the bill:

H. 1374. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Paulk
Agee	Edington	Jones	Pearson
Bank	Ellis	Kilgore	Pennington
Bassett	Fine	Lemley	Perloff
Beck	Foshee	Lybrand	Pruitt
Berryman (W)	Gafford	Lyons	Robertson
Blanton	Garrett	Malone	Sessions
Bolton	Graham	Manley	Snell
Bowers	Grainger	Marr	Starnes
Brannan	Grayson	Mathews	Steagall
Brassell	Hain	Mays	Stembridge
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Headley	Merrill	Weeks
Crawford	Higginbotham	Money	Williams
Culver	Hobbie	Neville	Wood
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing	Jackson (F)	Owens (W.E.)	

—79

And the bill:

H. 1375. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owens (W.E.)
Agee	Fine	Laxson	Paulk
Bank	Foshee	Lemley	Pearson
Bassett	Gafford	Lybrand	Pennington
Beck	Garrett	Lyons	Perloff
Berryman (W)	Gloor	Malone	Pruitt
Blanton	Graham	Manley	Robertson
Bolton	Grainger	Marr	Starnes
Bowers	Grayson	Mathews	Stembridge
Brannan	Hain	Mays	Stubbs
Brassell	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (W)	Harris	Melton	Waggoner
Crawford	Headley	Merrill	Weeks
Culver	Higginbotham	Money	Williams
Dobbs	Hobbie	Neville	Wood
Downing	Holman	Owen (Baldwin)	Yeilding
Drake	House	Owens (W)	Young
Edington	Jackson (T)		

—74

And the bill:

H. 1401. Relating to counties having populations of not less than 21,800 nor more than 21,850, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228.).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Foshee	Laxson	Perloff
Agee	Gafford	Lemley	Pruitt
Bassett	Garrett	Lybrand	Robertson
Beck	Gloor	Lyons	Sessions
Berryman (W)	Graham	Marr	Smith
Blanton	Grainger	Mathews	Snell
Bowers	Grayson	Mays	Starnes
Brannan	Hain	McElhaney	Steagall
Collier	Hardin	Meade	Stembridge
Collins (W)	Harper	Melton	Stubbs
Crawford	Harris	Merrill	Tuck
Culver	Headley	Money	Turnham
Dill	Higginbotham	Neville	Waggoner
Dobbs	Hobbie	Owen (Baldwin)	Weeks
Downing	Holman	Owens (W)	Williams
Drake	House	Paulk	Wood
Edington	Jackson (T)	Pearson	Yeilding
Ellis	Jones	Pennington	Young
Fine	Kilgore		

—74

And the bill:

H. 1407. Relating to counties having populations of not less than 49,500 nor more than 50,500; providing further for law enforcement in

such counties; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; and providing for the used of such fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pearson
Agee	Ellis	Kilgore	Perloff
Bank	Fine	Laxson	Pruitt
Bassett	Foshee	Lemley	Robertson
Beck	Gafford	Lybrand	Sessions
Berryman (W)	Garrett	Lyons	Smith
Blanton	Gloor	Marr	Snell
Brannan	Graham	Mathews	Starnes
Brassell	Grainger	Mays	Steagall
Collier	Grayson	McElhaney	Stembridge
Collins (C)	Hain	Meade	Tuck
Collins (W)	Hardin	Melton	Turnham
Cook (Coffee)	Harper	Merrill	Waggoner
Crawford	Harris	Money	Weeks
Culver	Higginbotham	Neville	Williams
Dill	Hobbie	Owen (Baldwin)	Wood
Dobbs	Holman	Owens (W)	Yeilding
Downing	House	Owens (W.E.)	Young
Drake	Jackson (T)	Paulk	

—75

And the bill:

H. 1408. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in certain courts of Russell County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Pearson
Agee	Ellis	Jackson (T)	Perloff
Bank	Fine	Jones	Pruitt
Bassett	Foshee	Kilgore	Robertson
Beck	Gafford	Laxson	Sessions
Berryman (W)	Garrett	Lemley	Smith
Blanton	Gloor	Lyons	Snell
Bolton	Graham	Marr	Starnes
Bowers	Grainger	Mathews	Steagall
Brannan	Grayson	Mays	Stembridge
Brassell	Hain	McElhaney	Stubbs
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Waggoner
Collins (W)	Harris	Money	Weeks
Culver	Headley	Neville	Williams
Dill	Higginbotham	Owen (Baldwin)	Wood
Dobbs	Hobbie	Owens (W)	Yeilding
Downing	Holman	Owens (W.E.)	Young
Drake	House	Paulk	

—75

And the bill:

H. 1419. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Pennington
Agee	Foshee	Kilgore	Perloff
Bank	Gafford	Laxson	Pruitt
Bassett	Garrett	Lemley	Robertson
Beck	Gloor	Lyons	Sessions
Berryman (W)	Graham	Marr	Smith
Blanton	Grainger	Mathews	Snell
Bolton	Grayson	Mays	Starnes
Brannan	Hain	McElhaney	Steagall
Brassell	Hardin	Meade	Stubbs
Collier	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Turnham
Cook (Jefferson)	Headley	Money	Waggoner
Crawford	Higginbotham	Neville	Weeks
Culver	Hobbie	Owen (Baldwin)	Williams
Dill	Holman	Owens (W)	Wood
Downing	House	Owens (W.E.)	Yeilding
Drake	Jackson (F)	Paulk	Young
Edington	Jackson (T)	Pearson	

—75

And the bill:

H. 1420. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Agee	Edington	Jones	Pennington
Bank	Ellis	Laxson	Perloff
Bassett	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Marr	Robertson
Blanton	Graham	Mathews	Sessions
Bolton	Grainger	Mays	Smith
Brannan	Grayson	Melton	Snell
Brassell	Hain	Merrill	Starnes
Collier	Hardin	Money	Steagall
Collins (W)	Harper	Neville	Stembridge
Cook (Jefferson)	Harris	Owen (Baldwin)	Tuck
Crawford	Higginbotham	Owens (W)	Turnham
Culver	Hobbie	Owens (W.E.)	Wood
Dill	Holman	Paulk	Yeilding
Downing	House		

—62

And the bill:

H. 1428. Relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pennington
Agee	Fine	Laxson	Perloff
Bank	Foshee	Lybrand	Pruitt
Beck	Graham	Marr	Sessions
Berryman (W)	Grainger	Mathews	Smith
Bolton	Grayson	Mays	Snell
Brannan	Hain	McCorquodale	Starnes
Brassell	Hardin	McElhaney	Steagall
Collier	Harper	Melton	Stembridge
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Headley	Money	Turnham
Crawford	Higginbotham	Neville	Waggoner
Culver	Hobbie	Owen (Baldwin)	Weeks
Dill	Holman	Owens (W)	Williams
Dobbs	Jackson (F)	Owens (W.E.)	Wood
Downing	Jackson (T)	Paulk	Yeilding
Drake	Jones	Pearson	Young
Edington			

—69

And the bill:

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Foshee	Kilgore	Pearson
Agee	Garrett	Laxson	Pennington
Bank	Gloor	Lemley	Perloff
Beck	Graham	Lybrand	Pruitt
Berryman (W)	Grainger	Lyons	Robertson
Brannan	Grayson	Marr	Sessions
Brassell	Hain	Mathews	Smith
Collier	Hardin	Mays	Snell
Collins (C)	Harper	Meade	Starnes
Collins (W)	Harris	Melton	Stembridge
Crawford	Headley	Merrill	Tuck
Culver	Higginbotham	Money	Turnham
Dill	Hobbie	Nettles	Waggoner
Dobbs	Holman	Neville	Weeks
Downing	House	Owen (Baldwin)	Williams
Drake	Jackson (F)	Owens (W)	Wood
Edington	Jackson (T)	Owens (W.E.)	Yeilding
Ellis	Jones	Paulk	Young
Fine			

—73

And the bill:

S. 124. To further provide for supernumerary district attorneys.

Was read a third time at length and passed.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Edington	Kilgore	Pennington
Agee	Ellis	Laxson	Perloff
Bank	Fine	Lemley	Pruitt
Beck	Foshee	Lybrand	Robertson
Berryman (W)	Garrett	Lyons	Sessions
Bolton	Gloor	Malone	Smith
Bowers	Graham	Marr	Snell
Brannan	Grainger	Mathews	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Hain	Meade	Stembridge
Collier	Hardin	Melton	Stubbs
Collins (C)	Harper	Merrill	Tuck
Collins (W)	Harris	Money	Turnham
Cook (Coffee)	Headley	Nettles	Waggoner
Crawford	Higginbotham	Neville	Weeks
Culver	Hobbie	Owen (Baldwin)	Williams
Dill	Holman	Owens (W)	Wood
Dobbs	Jackson (F)	Owens (W.E.)	Wright
Downing	Jackson (T)	Paulk	Yeilding
Drake	Jones	Pearson	Young

—80

Nay: Mr. McCorquodale

—1

And the bill:

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23 and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lemley	Paulk
Bassett	Garrett	Lybrand	Pearson
Beck	Graham	Lyons	Pennington
Berryman (W)	Grainger	Malone	Perloff
Bowers	Grayson	Manley	Pruitt
Brannan	Hain	Marr	Robertson
Brassell	Hardin	Mathews	Sessions
Collier	Harper	Mays	Snell
Collins (C)	Harris	McCorquodale	Starnes
Collins (W)	Headley	McElhaney	Steagall
Crane	Higginbotham	Meade	Stubbs
Culver	Hobbie	Melton	Tuck
Dill	Holman	Merrill	Waggoner
Dobbs	House	Money	Weeks
Downing	Jackson (F)	Nettles	Williams
Drake	Jackson (T)	Neville	Wood
Edington	Jones	Owen (Baldwin)	Wright
Ellis	Kilgore	Owens (W)	Yeilding
Fine	Laxson	Owens (W.E.)	Young

—76

And the bill:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Agee	Downing	Jones	Owens (W)
Bank	Drake	Kilgore	Owens (W.E.)
Beck	Ellis	Laxson	Paulk
Berryman (W)	Fine	Lemley	Pearson
Blanton	Foshee	Lybrand	Pennington
Bolton	Gafford	Lyons	Perloff
Bowers	Garrett	Malone	Pruitt
Brannan	Gloor	Manley	Robertson
Brassell	Graham	Marr	Sessions
Brown	Grainger	Mathews	Snell
Burgess	Grayson	Mays	Starnes
Cameron	Hain	McCorquodale	Steagall
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crane	Hobbie	Nettles	Yeilding
Culver	Holman	Neville	Young
Dill			

—81

And the bill:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dobbs	Grayson
Agee	Collier	Downing	Hain
Bank	Collins (C)	Drake	Hardin
Beck	Collins (W)	Foshee	Harper
Berryman (W)	Cook (Jefferson)	Gafford	Harris
Blanton	Crane	Garrett	Headley
Bolton	Crawford	Gloor	Higginbotham
Brannan	Culver	Graham	Hobbie
Brassell	Dill	Grainger	Holman

Jackson (F)	Mathews	Owen (Baldwin)	Stembridge
Jackson (T)	Mays	Owens (W)	Stubbs
Jones	McCorquodale	Owens (W.E.)	Tuck
Lemley	Meade	Pearson	Waggoner
Lybrand	Melton	Pennington	Williams
Lyons	Merrill	Perloff	Wood
Malone	Money	Snell	Yeilding
Manley	Nettles	Starnes	Young
Marr	Neville	Steagall	

—71

And the bill:

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owens (W)
Agee	Fine	Lemley	Owens (W.E.)
Bank	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Beck	Garrett	Malone	Perloff
Berryman (W)	Graham	Manley	Robertson
Blanton	Grainger	Marr	Snell
Brannan	Grayson	Mathews	Starnes
Brassell	Hardin	Mays	Stembridge
Burgess	Harper	McCorquodale	Stubbs
Collier	Harris	McElhane	Tuck
Collins (C)	Headley	Meade	Turnham
Collins (W)	Hill	Melton	Waggoner
Cook (Jefferson)	Hobbie	Merrill	Williams
Crawford	Holman	Money	Wood
Dobbs	Jackson (F)	Nettles	Yeilding
Downing	Jackson (T)	Neville	Young
Drake	Jones	Owen (Baldwin)	

—71

And the bill:

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of such conflict as to all counties to which this act applies.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Jefferson)	Ellis
Agee	Brassell	Crane	Foshee
Bank	Burgess	Culver	Gafford
Bassett	Cameron	Dill	Garrett
Beck	Collier	Dobbs	Gloor
Berryman (W)	Collins (C)	Downing	Graham
Blanton	Collins (W)	Drake	Grainger

Grayson	Lemley	Merrill	Snell
Hain	Lybrand	Money	Starnes
Hardin	Lyons	Nettles	Steagall
Harper	Malone	Neville	Stubbs
Harris	Manley	Owen (Baldwin)	Tuck
Headley	Marr	Owens (W)	Turnham
Hobbie	Mays	Owens (W.E.)	Waggoner
Holman	McCorquodale	Pearson	Williams
Jackson (F)	McElhaney	Pennington	Wood
Jackson (T)	Meade	Perloff	Yeilding
Jones	Melton	Robertson	Young
Kilgore			

—73

And the bill:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hill	Owen (Baldwin)
Agee	Downing	Hobbie	Owens (W)
Bank	Drake	Holman	Owens (W.E.)
Bassett	Edington	Jackson (F)	Pearson
Beck	Ellis	Jackson (T)	Pennington
Berryman (W)	Fine	Jones	Perloff
Blanton	Foshee	Kilgore	Robertson
Bowers	Gafford	Lemley	Sessions
Brannan	Garrett	Lybrand	Snell
Brassell	Gloor	Lyons	Starnes
Brown	Graham	Marr	Steagall
Cameron	Grainger	Mays	Stubbs
Collier	Grayson	McElhaney	Tuck
Collins (C)	Hain	Meade	Turnham
Collins (W)	Hardin	Melton	Waggoner
Crane	Harper	Money	Williams
Crawford	Harris	Nettles	Wood
Culver	Headley	Neville	Young
Dill			

—73

UNANIMOUS CONSENT FOR COMMITTEE REPORT

At the request of Mr. Downing, unanimous consent was granted for the Standing Committee on Local Legislation No. 3 to report out bills.

BILLS ON SECOND READING

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1403 (with substitute). To authorize and provide for the establishment, operation and financing of a Public Defender office in Mobile County, Alabama, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for

the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender office; to provide for the taxing and collecting of additional court costs in certain courts in said county for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the County and Municipal bodies from which received.

UNANIMOUS CONSENT FOR COMMITTEE REPORT

At the request of Mr. McElhaney, unanimous consent was granted for the Standing Committee on Local Legislation No. 4 to report out bills.

BILLS ON SECOND READING

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1491. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

H. 1454. To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act.

H. 1487. To amend Sections 1, 2, 3, 6 and 11 of Act No. 428, H. 933, Regular Session 1961 (Acts 1961, p. 456), entitled an Act "creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 300,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last Federal Census; providing for a Personnel Department to be composed of a Personnel Board and a Personnel Director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the Personnel Director; to require certification of county, municipal, public corporation, board and commission pay-rolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions

hereof; and providing for an effective date of this Act," so as to provide further for the composition, powers and functions of the Personnel Department and to regulate further the duties and responsibilities of the Personnel Board and the Personnel Director.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1475. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

H. 1476. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

H. 1477. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

H. 1478. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

H. 1479. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session

1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

H. 1480. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

H. 1481. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census.

H. 1482. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of proving volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

H. 1483. To amend Act No. 780, H. 1499, Regular Session 1961, an act providing for the incorporation in any county having a population of not less than 110,000 nor more than 165,000, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, and improving airports, airport buildings and facilities, and exempting said authority from certain liabilities.

H. 1484. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

H. 1485. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

H. 1486. To provide, in all judicial circuits composed of one county having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

S. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees

of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

S. 764. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

S. 808. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

BILLS ON THIRD READING RESUMED

And the bill:

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama:

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Pennington
Agee	Ellis	Lyons	Perloff
Beck	Fine	Malone	Pruitt
Berryman (W)	Foshee	Manley	Sessions
Blanton	Gafford	Marr	Smith
Bowers	Graham	Mathews	Snell
Brannan	Grainger	Mays	Springer
Brassell	Hain	McCorquodale	Starnes
Cameron	Harper	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Collins (C)	Headley	Melton	Stubbs
Collins (W)	Higginbotham	Merrill	Tuck
Cook (Coffee)	Hill	Money	Turnham
Crane	Hobbie	Nettles	Waggoner
Dill	Jackson (F)	Neville	Weeks
Dobbs	Jackson (T)	Owen (Baldwin)	Williams
Downing	Kilgore	Owens (W)	Wood
Drake	Lemley	Pearson	Young

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UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Merrill, unanimous consent was granted for the Standing Committee on Judiciary to report out bills.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 503. To repeal Section 107 of Title 15, and Section 220 of Title 29, Code of Alabama 1940, both of which relate to the time of executing search warrants.

H. 770. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

H. 771. To require riders and passengers on motorcycles, motor-driven cycles or motorscooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 844 (with amendments). To authorize and provide for the removal of certain governmental restrictions regulating the use and development of private property adjacent and abutting controlled access highways at points of ingress and egress, defining such terms, the repeal of laws inconsistent herewith, and for other purposes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 1113. To authorize the Attorney General and his Assistants to issue subpoenas, to provide for the service of the subpoenas by any lawful officer of the State and their compensation, and to provide for the enforcement of said subpoena by the courts of the State.

H. 1114. To authorize the Attorney General to employ investigators, to prescribe the duties and authority of such investigators, and to provide for their compensation.

H. 1312. To amend Title 15, Section 106, Code of Alabama, 1940, to provide for service of search warrants by sheriffs, constables, marshalls or policemen of incorporated cities or towns.

H. 1321. To amend Sections 107 and 176, Title 17 and Section 34(39) Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

H. 1323. To provide for the resumption of the use of literacy tests as a qualification for voting as required by the state Constitution consistent with any federal law, orders, plan or court ruling under which tests may be resumed; to provide assistance to boards of registrars in conducting such tests and operating under such plan; and to provide for enforcement of applicable laws.

H. 1344. To amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

H. 1354. To amend Title 51, section 94, as last amended, Code of Alabama 1940, so that the annual term of service and compensation of members of the several county boards of equalization shall be on a basis of total assessed value of all taxable property using the year 1969 as the basis.

H. 1410. Relating to the Thirtieth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

H. 1411 (with amendment). To amend Sections 122, 123 and repeal Section 124, Title 17, Code of Alabama, 1940, as amended, so as to select election officials for holding all elections throughout the state of Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 1412. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

H. 1438. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1439 (with amendment). Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 1497. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

H. 1500. To amend Act No. 779, S. 374, Regular Session 1967 (Acts 1967, p. 1639) which act provides for the operation of facilities in state parks by state employees, to allow private individuals to operate boat rental facilities within such parks.

H. 1503. To further amend Section 2, Title 51, Code of Alabama, 1940, as heretofore amended.

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for Nursing Home Administrators; and to prescribe penalties for violations of this Act and rules and regulations promulgated thereunder.

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

The above bill was read a second time at length as required by the Constitution.

S. 105. To amend further Code of Alabama 1940, Title 52, Sections 590 and 591, so as to raise the age of the boys who may be committed to, received and cared and provided for at the Alabama Boys Industrial School.

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 237 (with amendments). To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide

for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

S. 247. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act to fix the compensation of certain state officers."

S. 256. To amend Act No. 206, H. 81, of the First Special Session of 1964 (Acts, First and Second Special Sessions 1964, p. 266), entitled "An Act to provide for the creation of apartment ownership, and to prescribe regulations therefor"; to redefine an apartment owner's interest in the common area and facilities appurtenant to the apartments and to prescribe a legal description of such apartments.

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

S. 419. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

S. 420. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to

authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

S. 482. To amend Section 1 of Act No. 208, Acts of Alabama 1966 Special Session, page 256, approved August 26, 1966 entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

S. 518. To fix the compensation of circuit judges in Alabama; and to provide the method of payment and effective date thereof.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 536 (with amendment). To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

S. 558. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued as required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

S. 574. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any

municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

S. 604. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "water works plant".

S. 607. To amend Section 6 of Act No. 154, H.B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 751 (with amendment). To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions

or areas thereof; to provide for the appointment of the Director of Program Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Bassett, unanimous consent was granted for the Standing Committee on Local Legislation No. 1 to report out bills.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 877. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1062 (with amendment). Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1357. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing for the payment from the county treasury of an additional supplementary salary to each of the court reporters for the circuit courts of such counties.

H. 1414. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

H. 1430. To create an additional judgeship for the Ninth Judicial Circuit of Alabama, and to provide for the appointment, election, compensation, powers, duties, and authority of such judge.

H. 1432. To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum.

H. 1433. To provide for operation of non-profit ambulance services by the municipalities in all counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

H. 1435. To amend the Act proposed at the 1969 Regular Session by H. B. 682, which Act creates and establishes the Limestone County Superior Court in lieu of the Limestone County Court, in order to provide for the creation of the office of Solicitor of the Limestone County Superior Court in lieu of the office of a deputy or county solicitor or a solicitor of the Limestone County Court.

H. 1440. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax collectors serving when the basis of compensation of such officers changed from fee to salary.

H. 1441. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax assessors serving when the basis of compensation of such officers changed from fee to salary.

H. 1442. To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

H. 1443. To fix the compensation of the deputy sheriffs of Pickens County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1445 (with amendment). To alter, rearrange, extend and re-define the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1448. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

H. 1449. Relating to counties having a population of not less than 36,600, nor more than 37,600 according to the last Federal Decennial Census, and providing for the taxing of additional court cost in misdemeanors.

H. 1467. To combine the office of Register of the Circuit Court, in equity, the office of Clerk of the Circuit Court, and the Clerk of the County Court in all counties in this state with a population of more than 20,000 and less than 21,000, according to the last Federal Census or any subsequent census; to fix his method of appointment or election; to fix his salary or compensation for holding said office, and to provide for his bond to be paid from the general funds of the county.

H. 1452. To alter, rearrange and extend the boundary lines of the Town of Stevenson, Jackson County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

H. 1451. Relating to Houston County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

H. 1450. To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

H. 1468. To regulate the offices of Tax Assessor and Tax Collector in counties of more than 20,000 population, according to the last Federal Census or any subsequent Federal Census, and less than 21,000 population, according to the last Federal Census or any subsequent Federal Census; to fix the compensation of the Tax Assessors and Tax Collectors of said counties, and to provide for help and assistance and other necessary expense that is necessary to the conduct of said offices; to provide that the Tax Assessor and Tax Collector shall pay into the county Treasury all costs, fees and commissions authorized by law to be collected by the Tax Collector and Tax Assessor; to provide for help and assistance and other necessary expenses to conduct said offices; to provide for the bonds of the clerical assistants and said Tax Collector and Tax Assessor to be paid by the county treasurer from the general funds of the county treasury.

H. 1469. To provide that the Probate Courts in all counties of this state which now have or may hereafter have a population of over 20,000 and less than 21,000, according to the last or any subsequent federal census, shall have general equity jurisdiction concurrent with that of the Circuit Courts, in equity, of this state, in the administering of the estates of deceased persons, minors and insane persons, including testamentary trust estates; defining the powers and qualifications of the judge's of said courts; to regulate the office of Judge of Probate in said counties as aforesaid; to fix the compensation of the Judge of Probate of said counties, and to provide for help and assistance and other necessary expenses to the conduct of the office of Judge of Probate; to provide that the Judge of Probate of said counties shall pay into the county treasury all costs, charges of the court, fees and commissions authorized by law to be collected by the Judge of Probate, and to provide for the bonds of the Judge of Probate and his clerks to be paid by the county treasurer from the general funds of the county treasury.

H. 1470. To regulate the office of Sheriff in counties of more than 20,000 population and less than 21,000 population, according to the last Federal Census or any subsequent Federal Census; to fix the compensation of the Sheriff of said counties, and to provide for help and assistance and other necessary expense necessary to the conduct of the office of Sheriff; to provide that the Sheriff shall pay into the County Treasury all costs, charges of the courts, fees and commissions authorized by law to be collected by the Sheriff; to exempt the Sheriff of such counties from court costs; to exempt the Sheriff from liability for acts of his deputies in certain cases; to require deputy sheriffs to execute official bonds conditioned, payable and approved as the bonds of Sheriffs, and to provide for the bond for the Sheriff and his deputies to be paid by the county treasurer from the general funds of the county treasury; to fix the qualifications of the Sheriff and his deputies in said counties.

H. 1471. To combine the office of the Clerk of the Board of County Commissioners, or like governing bodies, with the office of County Treasurer in all counties with a population of more than 20,000 and less than 21,000, according to the last Federal Census or any subsequent census; to fix the compensation that the holder of said office is to receive; to fix his qualifications for holding said office, and to provide for his bond to be paid from the general funds of the county.

H. 1472. Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

H. 1473. To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

H. 1474. To enlarge the corporate limits of the City of Marion, Alabama.

H. 1493. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

H. 1494. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

H. 1495. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

H. 1496. Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

H. 1498. To establish a Civil Service System for the City of Northport; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of

absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

H. 1502. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division: prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof.

H. 1507. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 650 (with substitute). To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

S. 702. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

S. 734. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

S. 735. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

S. 738. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

S. 739. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

S. 746. To provide for expense allowances of members of Boards of Education of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

S. 765. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

S. 766. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the

fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

S. 777. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

S. 736. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

S. 737. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

S. 781. To provide for and regulate the employment and the compensation out of the county treasury of a deputy clerk and other assistants to the clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County; and to repeal conflicting laws.

S. 782. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office, relative to the compensation of the clerical assistants.

S. 783. To provide for and regulate the employment and the compensation out of the county treasury of a deputy register and other assistants to the register of the circuit court of Morgan County and the Morgan County Court of Morgan County; and to repeal conflicting laws.

S. 784. To amend further Act No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts 1965, v. 1, p. 762); to amend such Act in relation to the appointment and compensation of the clerk of the jury commission.

S. 785. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, relative to the compensation of the clerical assistants.

S. 786. To authorize the judge of probate of Morgan County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

S. 787. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury; to repeal conflicting laws.

S. 788. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

S. 789. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

S. 790. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

S. 803. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

S. 804. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

S. 814. To permit banks now or hereafter situated in counties having a population according to the most recent federal decennial census of not less than 49,500 nor more than 50,500 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks.

S. 813. To propose an amendment to the Constitution of Alabama relating to Morgan County and the City of Hartselle and the City of Decatur, authorizing each of them separately or any two or more of them jointly, to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects or sites, to lease, sell, exchange and otherwise convey all or any part of any such projects or sites; and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to exempt bonds issued to finance the acquisition of industrial sites from the requirement of an election; to specify the details respecting such bond election; to limit the amount of bonds that said county and said cities may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said cities, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or cities, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purpose of said amendment neither said county or said cities shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

The above bill was read a second time at length as required by the Constitution.

S. 820. Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Turnham, unanimous consent was granted for the Standing Committee on Education to report out bills.

BILLS ON SECOND READING

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1492. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1444 (with substitute). To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Haygood, unanimous consent was granted for the Standing Committee on Business and Labor to report out bills.

BILLS ON SECOND READING

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1436. To amend further Code of Alabama, 1940, Title 51, Section 613, as amended, in relation to the license tax payable on certain vending machines.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Owen (Baldwin), unanimous consent was granted for the Standing Committee on Conservation to report out bills.

BILLS ON SECOND READING

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 520. To amend Section 1 of Act No. 627, Acts of Alabama, Regular Session 1949, entitled An Act to prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Cook (Coffee), unanimous consent was granted for the Standing Committee on State Administration to report out bills.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

H. 1144. To impose extra, new and additional powers and duties upon the Chief Examiner of Public Accounts and to appropriate funds to the Department of Examiners of Public Accounts to perform such new and additional duties.

H. 1447. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Smith, unanimous consent was granted for the Standing Committee on Agriculture to report out bills.

BILLS ON SECOND READING

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 571. To amend further Section 2 of the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, as heretofore amended by Act No. 174, H. 117 of the Special Session of 1966,

(Acts of Alabama 1965, p. 1208 and Acts of Alabama, Special Sess. of 1966 p. 200) which said Section 2 of said Act relates to the membership of the Farmers Market Authority.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Mathews, unanimous consent was granted for the Standing Committee on Ways and Means to report out bills.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 713. To provide for punishment of persons who knowingly and wilfully deceive police officers in the conduct of investigations.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1427 (with substitute). To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1342. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than \$4,000,000 in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville and the University of Alabama at Huntsville.

The above bill was read a second time at length as required by the Constitution.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 714 (with substitute). To provide for the establishing of the Alabama Peace Officer Standards and Training Commission; for the appointment of members of the Commission; to provide for funds for the Commission; to define the powers and responsibilities and remuneration of the Commission; and to authorize participation in the program of the Commission by state, county and municipal police agencies.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1338. To amend Code of Alabama 1940, Title 29, Section 45, relating to the payment of taxes on alcoholic beverages through the use of stamps, crowns or lids, so as to provide for the use of such tax.

S. 724. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Dallas County for the Department of Public Safety.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 408 (with amendment). To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

UNANIMOUS CONSENT GRANTED FOR COMMITTEE REPORT

At the request of Mr. Cook (Jefferson), unanimous consent was granted for the Standing Committee on Transportation to report out bills.

BILLS ON SECOND READING

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509(1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

S. 598. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1457. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

H. 1458. To provide compensatory leave for police officers of cities having a population of 300,000 or more according to the last or any succeeding decennial federal census for time spent in required attendance at court as witnesses in any criminal case or in any civil case resulting from a matter investigated by such officer or in which such cities are involved or interested.

H. 1459. An Act to allow Boards of Education in each city of the State of Alabama having a population of not less than 32,500 nor more than 33,500 according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district.

H. 1460. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

H. 1461. To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

H. 1462. Relating to the Tenth Judicial Circuit, Bessemer Division; providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

H. 1463. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

H. 1464. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the additional Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court, or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

H. 1465. To further amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system", so as to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city.

H. 1466. To create a Local Government Commission in each county in the State having a population of 600,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

H. 1504. To amend Section 8 and to further amend Sections 3, 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service

of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

H. 1505. To amend Sections 3, 6, 7 and 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956: to include in said separate System dependents of said presently active employees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents."

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1378. To amend Section 262 of Title 46 of the Code of Alabama 1940 (Recomp. 1958) relating to the practice of medicine in the State of Alabama; practicing medicine, osteopathy or chiroprody without license; penalty for.

H. 1379. To amend Section 257(2) of Title 46 of the Code of Alabama 1940 (Recomp. 1958), relating to the State Licensing Board of Healing Arts, scope of powers, practice of healing arts defined.

S. 223. To amend Section 19 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

S. 242. To amend Section 12 of Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

S. 680. To exempt medical clinic boards now or hereafter organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable

report, and it was read a second time and placed on the Calendar, to-wit:

H. 1424. To create one additional circuit court judgeship for any judicial circuit composed of a single county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, responsibilities, qualifications and compensation of such judge; to abolish the office of judge of the juvenile court of any county coming within the influence of this Act, but not the juvenile court of such county; to change the name of such juvenile court to the juvenile division of the circuit court of the circuit composed of the county in which such juvenile court exists; and to provide that such additional judge shall be ex officio judge of the juvenile court in addition to performing his other duties and responsibilities.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1094. Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act.

Also:

H. 1128. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws.

Also:

H. 1130. Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county.

Also:

H. 1129. To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Also:

H. 827. To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

Also:

H. 1131. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws.

Also:

H. 1124. To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Fine	Jackson (F)	Neville
Agee	Foshee	Jackson (T)	Owen (Baldwin)
Bank	Graham	Kilgore	Owens (W)
Bassett	Hain	Lemley	Pruitt
Berryman (W)	Hardin	Lyons	Robertson
Blanton	Harper	Mays	Sessions
Brassell	Harris	McDonald	Snell
Burgess	Haygood	McElhaney	Starnes
Collier	Headley	Meade	Steagall
Culver	Higginbotham	Meeks	Stembridge
Dill	Hill	Merrill	Tuck
Downing	Holman	Money	Williams
Drake	House	Nettles	Wood
Edington			

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PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1090. Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court, in Equity, and for payment of such clerk's salary by the county.

Also:

H. 1116. Relating to the thirty-fourth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Franklin County.

Also:

H. 1148. To provide for the presiding judge, Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1151. To regulate further the excusing of persons from jury service in the Twenty-third Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1152. Relating to judicial procedure in the Twenty-third judicial circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Also:

H. 1022. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1033. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties.

Also:

H. 1021. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1155. To amend further the Act approved August 5, 1953, for the establishment of a "Solicitor's Fund" for the Circuit Solicitor of Madison County (Act No. 289, S. 299, 1953 Acts 354).

Also:

H. 1150. To abolish the drawing of special venires in capital cases in the Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1158. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000 according to the last federal decennial census.

Also:

H. 1156. To amend further the act approved July 7, 1965 providing for the creation of a county license department in counties having a population of not less than 115,000 nor more than 165,000 according to the 1960 or subsequent federal decennial census, electing to come under the provisions of said Act (Act 103, S. 222, Regular Session, 1965) by providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities.

Also:

H. 1147. To repeal Section 5 of Act No. 553, H. 477, Regular Session 1967 (Acts 1967, p. 1306) which act provides an additional and alternate method of issuing licenses and the paying for same in Madison County.

Also:

H. 1153. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis at the expiration of their current terms and providing for the operation of their offices on such basis.

Also:

H. 860. Relating to all counties having populations of not less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

Also:

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Also:

H. 677. To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this state; to create a board to be known as the plumbers examining board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said plumbers examining board and their terms of office; to provide for the payment of compensation to the members of said board and its employees; to define the powers conferred upon and the duties imposed upon said board; to provide funds for the maintenance, operations and functions of said board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the board to revoke certificates; to provide for appeals from the ruling of the board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said board, and to provide for penalties for the violation of this Act"; so as to provide that municipalities having populations of not less than 130,000 nor more than 200,000 and municipalities having populations of 300,000 or more according to the last or any subsequent federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Also:

H. 1161. To repeal Act No. 42, S. 69 of the 1966 Special Session (Acts, Special Session 1966, p. 65) entitled, "An Act relating to Marengo County; authorizing the board of revenue to appoint a purchasing agent for the county; providing for the duties, authority, term and compensation of such agent; and requiring bond."

Also:

H. 1160. To alter, extend and rearrange the boundary lines and corporate limits of the City of York in Sumter County, Alabama.

Also:

H. 1159. Relating to Marengo County; making further provisions respecting the qualifications and compensation of the deputies and assistants of the sheriff.

Also:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert Coun-

ty, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 400. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

Also:

H. 776. To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of court reporters, and provide for the payment thereof.

Also:

H. 45. To amend and re-enact Section 619(10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

Also:

H. 396. Relating to the compensation of the State Superintendent of Education.

Also:

H. 1154. To change the method of compensating the Register of the Twenty-third Judicial Circuit of Alabama; placing such officer on a salary basis upon the appointment of a Register and providing for the operation of the Office of Register on such basis.

Also:

H. 1149. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Third Judicial Circuit of Alabama.

Also:

H. 1098. To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

Also:

H. 1096. Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Also:

H. 1104. Relating to the registration of voters in Barbour County; providing further for the preparation and publication of the poll list; imposing additional duties on the board of registrars and the probate judge.

Also:

H. 1076. Relating to Jefferson County; providing for the disposal by the county purchasing agent, or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

Also:

H. 1075. To amend further Section 18 of Title 19, of the Code of Alabama of 1940, as heretofore amended by an Act entitled "An Act to amend Section 18 of Title 19 of the Code of Alabama of 1940," Act No. 758, Regular Session of the Legislature of Alabama 1953, (Acts of 1953, Vol. 2, Pages 1020 and 1021), so as to provide for the exemption of cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, from posting bond for right of entry in condemnation appeals from probate court to circuit court.

Also:

H. 1073. To amend Section 3 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq) which fixes, levies, and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Also:

H. 1080. To authorize any County of this State having a population of 500,000 or more, according to the last or any subsequent Federal Census, to reimburse any officer, agent or employee of the County for any taxes which another State, or any County, municipality or political subdivision thereof, exacts from, or charges, such officer, agent or employee when he obtains in such other State lodging, or other facilities or items, which it is necessary for him to obtain in the performance of his duties for the County.

Also:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

Also:

H. 475. To amend Sections 3.01, 302, 309 and 4.02 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 1028. Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed

beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;

Also:

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

Also:

H. 697. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding \$3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Also:

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolution, to-wit:

H. J. R. 79. Extending an invitation to United States Senator James B. Allen to address a joint session of the Alabama Legislature.

Also:

H. J. R. 114. Designating the "Joe A. Killian Room" at the International Trade Center at the Alabama State Docks in Mobile.

Also:

H. J. R. 100. Congratulating Colonel Hudson Powell Lipscomb, Jr. on the observance of his fiftieth year in the practice of law.

Also:

H. J. R. 101. Expressing regret upon the death of Colonel Marion Rushton, distinguished Alabama attorney.

Also:

H. J. R. 102. Expressing regret upon the death of Mr. Floyd Hamilton Mooneyham, Montgomery attorney.

Also:

H. J. R. 103. Requesting that the office of the State Toxicologist remain in Mobile.

Also:

H. J. R. 109. Urging the United States Senate to pass the "anti-busung amendment" and asking the support of the President of the United States.

Also:

H. J. R. 110. Requesting financial relief from the President of the United States and the Congress for expenses imposed by the forced integration of schools in Jefferson County.

Also:

H. J. R. 111. Designating "Roland Cooper Hall" at Patrick Henry State Junior College.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Was read a third time at length and passed.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Grainger	McCorquodale	Perloff
Agee	Hain	McDonald	Robertson
Bank	Hardin	McElhaney	Sessions
Bassett	Harper	McLain	Snell
Blanton	Harris	Meeks	Springer
Brannan	Headley	Melton	Starnes
Brassell	Holladay	Merrill	Stembridge
Culver	Jackson (F)	Money	Tuck
Dill	Jones	Nettles	Weeks
Downing	Laxson	Owen (Baldwin)	Williams
Drake	Lemley	Owens (W)	Wood
Ellis	Lybrand	Paulk	Wright
Fine	Lyons	Pearson	Yeilding
Foshee	Manley	Pennington	Young
Graham			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 281. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Perloff
Adwell	Foshee	Lybrand	Pruitt
Agee	Garrett	Lyons	Robertson
Bank	Graham	Manley	Sessions
Bassett	Grainger	Mays	Snell
Berryman (W)	Grayson	McDonald	Springer
Blanton	Hain	McLain	Starnes
Bowers	Hardin	Meeks	Steagall
Brannan	Harper	Melton	Stembridge
Brassell	Harris	Merrill	Tuck
Collier	Headley	Money	Turnham
Crawford	Holladay	Nettles	Weeks
Culver	Holman	Neville	Williams
Dill	Jackson (F)	Owen (Baldwin)	Wood
Downing	Jackson (T)	Owens (W)	Yeilding
Drake	Jones	Paulk	Young
Ellis	Laxson	Pearson	

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And the bill:

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Fine	Jones	Owens (W)
Adwell	Foshee	Laxson	Paulk
Agee	Garrett	Lemley	Pearson
Bank	Gloor	Lybrand	Pennington
Bassett	Graham	Lyons	Perloff
Berryman (W)	Grainger	Manley	Sessions
Blanton	Grayson	Mays	Snell
Bowers	Hain	McCorquodale	Springer
Brannan	Hardin	McDonald	Starnes
Brassell	Harper	McLain	Steagall
Collier	Harris	Meeks	Tuck
Collins (W)	Haygood	Melton	Turnham
Culver	Headley	Merrill	Weeks
Dill	Hill	Money	Williams
Downing	Holman	Nettles	Yeilding
Drake	Jackson (F)	Neville	Young
Ellis	Jackson (T)	Owen (Baldwin)	

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And the bill:

S. 767. Proposing an amendment to the Constitution of Alabama relating to Pickens County, and ordering an election thereon.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Fine	Laxson	Paulk
Adwell	Foshee	Lemley	Pearson
Agee	Garrett	Lybrand	Pennington
Bank	Gloor	Manley	Perloff
Bassett	Graham	Marr	Pruitt
Beck	Grainger	Mays	Smith
Berryman (W)	Grayson	McCorquodale	Snell
Blanton	Hain	McLain	Springer
Bowers	Hardin	Meade	Starnes
Brannan	Harper	Meeks	Steagall
Brassell	Harris	Melton	Stembridge
Collier	Haygood	Merrill	Tuck
Collins (W)	Headley	Money	Turnham
Crawford	Holman	Nettles	Weeks
Culver	Jackson (F)	Neville	Williams
Downing	Jackson (T)	Owen (Baldwin)	Yeilding
Drake	Jones	Owens (W)	Young
Ellis			

—69

And the bill:

S. 779. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Paulk
Adwell	Foshee	Lybrand	Pearson
Agee	Garrett	Lyons	Pennington
Bank	Gloor	Manley	Perloff
Bassett	Graham	Marr	Pruitt
Beck	Grainger	Mays	Smith
Berryman (W)	Grayson	McCorquodale	Snell
Blanton	Hain	McLain	Springer
Bowers	Hardin	Meade	Starnes
Brannan	Harper	Meeks	Steagall
Brassell	Harris	Melton	Stembridge
Collier	Haygood	Merrill	Tuck
Collins (W)	Headley	Money	Turnham
Crawford	Holman	Nettles	Weeks
Culver	House	Neville	Williams
Downing	Jackson (F)	Owen (Baldwin)	Yeilding
Drake	Jackson (T)	Owens (W)	Young
Ellis	Laxson		

—70

And the bill:

H. 1380. To fix and provide for the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Paulk
Adwell	Fine	Lybrand	Pearson
Agee	Foshee	Lyons	Pennington
Bank	Graham	Manley	Perloff
Bassett	Grayson	Marr	Pruitt
Beck	Hain	Mays	Sessions
Berryman (W)	Hardin	McCorquodale	Smith
Blanton	Harper	McLain	Snell
Brannan	Harris	Meade	Springer
Brassell	Haygood	Meeks	Starnes
Collier	Headley	Melton	Stembridge
Collins (C)	Holman	Merrill	Tuck
Collins (W)	House	Nettles	Waggoner
Crawford	Jackson (F)	Neville	Weeks
Culver	Jones	Owen (Baldwin)	Williams
Downing	Kilgore	Owens (W)	Young
Drake			

—65

And the bill:

H. 1381. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Owens (W)
Adwell	Ellis	Kilgore	Paulk
Agee	Fine	Laxson	Pearson
Bank	Foshee	Lemley	Pennington
Bassett	Garrett	Lybrand	Perloff
Beck	Graham	Lyons	Pruitt
Berryman (W)	Grainger	Manley	Sessions
Blanton	Grayson	Marr	Snell
Bowers	Hain	Mays	Springer
Brannan	Hardin	McCorquodale	Starnes
Brassell	Harper	McLain	Steagall
Collier	Harris	Meade	Stembridge
Collins (C)	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Weeks
Crawford	Holladay	Merrill	Williams
Culver	Holman	Money	Wright
Dill	House	Neville	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	Young

—72

And the bill:

H. 1382. To amend Section 4 of Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of

1959, Page 1376 et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, Page 1579, et seq., as amended).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Laxson	Pearson
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Sessions
Berryman (W)	Garrett	Manley	Snell
Blanton	Gloor	Marr	Springer
Bowers	Graham	Mays	Starnes
Brannan	Hain	McCorquodale	Steagall
Brassell	Hardin	McElhaney	Stembridge
Collier	Harper	Meade	Tuck
Collins (C)	Harris	Meeks	Waggoner
Collins (W)	Haygood	Melton	Weeks
Crane	Headley	Merrill	Williams
Crawford	Holladay	Money	Wright
Culver	Holman	Neville	Yeilding
Dill	House	Owen (Baldwin)	Young

—72

Nays: Messrs. Grainger, Jones and McLain

—3

And the bill:

H. 1383. To amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) entitled, "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Collins (C)	Dobbs
Adwell	Blanton	Collins (W)	Downing
Agee	Bowers	Crane	Drake
Bank	Brannan	Crawford	Ellis
Bassett	Brassell	Culver	Fine
Beck	Collier	Dill	Foshee

Garrett	Jones	Meeks	Sessions
Graham	Kilgore	Melton	Snell
Grainger	Laxson	Merrill	Springer
Hain	Lemley	Money	Starnes
Hardin	Lybrand	Nettles	Steagall
Harper	Lyons	Neville	Stembridge
Harris	Manley	Owen (Baldwin)	Tuck
Haygood	Marr	Owens (W)	Weeks
Headley	Mays	Paulk	Williams
Holladay	McCorquodale	Pearson	Wright
Holman	McElhaney	Perloff	Yeilding
House	McLain	Pruitt	Young
Jackson (F)	Meade	Robertson	

—75

And the bill:

H. 1384. To fix and provide for the compensation or salary of the Assistant or Associate Judges of Probate in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Messrs.:	Drake	Jones	Paulk
Agee	Ellis	Kilgore	Pearson
Bank	Fine	Laxson	Pennington
Bassett	Foshee	Lemley	Perloff
Beck	Garrett	Lybrand	Pruitt
Berryman (W)	Graham	Lyons	Sessions
Blanton	Grainger	Manley	Snell
Brannan	Grayson	Marr	Springer
Brassell	Hain	McCorquodale	Starnes
Collier	Hardin	McElhaney	Steagall
Collins (C)	Harper	McLain	Stembridge
Collins (W)	Harris	Meade	Tuck
Cook (Coffee)	Haygood	Meeks	Weeks
Crane	Headley	Melton	Williams
Crawford	Holladay	Merrill	Wright
Dill	Holman	Nettles	Yeilding
Dobbs	House	Neville	Young
Downing	Jackson (F)	Owens (W)	

—70

And the bill:

H. 1385. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which Act established a Pension System for officers and employees of Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Bank	Berryman (W)	Brannan
Adwell	Bassett	Blanton	Brassell
Agee	Beck	Bowers	Burgess

Collier	Hain	Manley	Pearson
Collins (C)	Hardin	Marr	Perloff
Cook (Coffee)	Harper	McCorquodale	Sessions
Crawford	Harris	McElhaney	Snell
Culver	Haygood	McLain	Springer
Dill	Headley	Meade	Starnes
Dobbs	Holladay	Meeks	Steagall
Downing	Holman	Melton	Stembridge
Drake	House	Merrill	Tuck
Ellis	Jackson (F)	Money	Waggoner
Fine	Jones	Nettles	Weeks
Foshee	Kilgore	Neville	Williams
Garrett	Laxson	Owen (Baldwin)	Wright
Graham	Lemley	Owens (W)	Yelding
Grainger	Lybrand	Paulk	Young
Grayson	Lyons		

—74

And the bill:

H. 1386. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dill	Kilgore	Paulk
Adwell	Dobbs	Laxson	Pearson
Agee	Downing	Lemley	Perloff
Bank	Drake	Lybrand	Pruitt
Bassett	Ellis	Lyons	Sessions
Beck	Fine	Manley	Snell
Berryman (W)	Foshee	Marr	Springer
Blanton	Graham	McCorquodale	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Grayson	McLain	Stembridge
Burgess	Hain	Meade	Tuck
Collier	Hardin	Meeks	Waggoner
Collins (C)	Harper	Melton	Weeks
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Haygood	Nettles	Wood
Crane	Headley	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yelding
Culver	Jackson (F)	Owens (W)	Young

—72

And the bill:

H. 1387. To provide for the payment of expense allowances for county officers serving the positions of Deputy Tax Assessor, Deputy Tax Collector, Deputy Treasurer in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Drake	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Sessions
Berryman (W)	Garrett	Manley	Snell
Blanton	Graham	Marr	Springer
Brannan	Grainger	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Hain	Meade	Stembridge
Collier	Hardin	Meeks	Tuck
Collins (C)	Harper	Melton	Waggoner
Collins (W)	Harris	Merrill	Watkins
Cook (Coffee)	Haygood	Money	Weeks
Crane	Headley	Nettles	Williams
Crawford	Higginbotham	Neville	Wood
Culver	Holladay	Owen (Baldwin)	Wright
Dill	Holman	Owens (W)	Yeilding
Dobbs	Jackson (F)	Paulk	Young

—76

And the bill:

H. 1388. To amend Section 10 of Act No. 556 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama, 1959, pages 1376, et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama 1951, page 1579, et seq., as amended).

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Adwell	Downing	Laxson	Pennington
Agee	Drake	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Sessions
Beck	Foshee	Manley	Snell
Berryman (W)	Garrett	Marr	Springer
Blanton	Gloor	Mays	Starnes
Bowers	Graham	McCorquodale	Steagall
Brannan	Grainger	Meade	Stembridge
Brassell	Grayson	Meeks	Tuck
Burgess	Hain	Melton	Waggoner
Collier	Hardin	Merrill	Watkins
Collins (C)	Harper	Money	Weeks
Collins (W)	Harris	Nettles	Williams
Cook (Coffee)	Headley	Neville	Wood
Crane	Higginbotham	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	Jackson (F)	Paulk	Young
Dill			

—77

And the bill:

H. 1390. To provide for the payment of expense allowances for county officers serving in the position of a member of the Board of Equalization and Adjustments in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.:	Dobbs	Jackson (F)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Laxson	Pearson
Bank	Ellis	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Garrett	Manley	Sessions
Blanton	Gloor	Marr	Snell
Bowers	Graham	Mays	Springer
Brannan	Grainger	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Hain	McLain	Stembridge
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Watkins
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Haygood	Merrill	Williams
Crane	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young

—79

And the bill:

H. 1391. To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crane	Hardin	Manley
Adwell	Crawford	Harper	Marr
Agee	Culver	Harris	Mays
Bank	Dill	Haygood	McCorquodale
Bassett	Dobbs	Headley	McElhaney
Beck	Downing	Higginbotham	Meade
Berryman (W)	Drake	Holladay	Meeks
Blanton	Ellis	Holman	Melton
Bowers	Fine	House	Merrill
Brannan	Foshee	Jackson (F)	Money
Brassell	Garrett	Kilgore	Nettles
Burgess	Graham	Laxson	Neville
Collier	Grainger	Lemley	Owen (Baldwin)
Collins (C)	Grayson	Lybrand	Owens (W)
Collins (W)	Hain	Lyons	Paulk

Pearson	Sessions	Stembridge	Wood
Pennington	Snell	Tuck	Wright
Perloff	Springer	Watkins	Yeilding
Pruitt	Starnes	Weeks	Young
Robertson	Steagall	Williams	—78

And the bill:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

Was taken up.

Mr. Bowers offered the following amendment to the bill, H. 1392:

Amend Section 10 of House Bill 1392 by adding the following words and figures between the second and third sentences of said Section 10:

"Provided, however, there shall be added to the usual docketing fee the sum of one dollar and fifty cents so as to make such docketing fee three dollars."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Adwell	Ellis	Kilgore	Pearson
Agee	Fine	Laxson	Pennington
Bank	Foshee	Lemley	Perloff
Bassett	Gafford	Lybrand	Sessions
Beck	Garrett	Lyons	Snell
Berryman (W)	Gloor	Manley	Springer
Blanton	Graham	Marr	Starnes
Bowers	Grainger	Mays	Steagall
Brannan	Grayson	McCorquodale	Stembridge
Brassell	Hain	McElhaney	Tuck
Burgess	Hardin	Meade	Waggoner
Collier	Harper	Meeks	Watkins
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Crawford	Headley	Money	Wood
Culver	Higginbotham	Nettles	Wright
Dill	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Downing	House	Owens (W)	—79

And the bill, H. 1392, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Adwell	Edington	Kilgore	Pearson
Agee	Ellis	Laxson	Pennington
Bank	Foshee	Lemley	Perloff
Bassett	Garrett	Lybrand	Sessions
Beck	Gloor	Lyons	Snell
Berryman (W)	Graham	Marr	Springer
Blanton	Grainger	Mays	Starnes
Bowers	Grayson	McCorquodale	Steagall
Brannan	Hain	McElhanev	Stembridge
Brassell	Hardin	Meade	Tuck
Burgess	Harper	Meeks	Waggoner
Collier	Harris	Melton	Watkins
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Crawford	Holladay	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing			

—77

And the bill:

H. 1393. To further amend Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 Et Seq.), which established a Pension and Retirement System for officers and employers of Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W)
Adwell	Drake	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Gafford	Manley	Sessions
Berryman (W)	Garrett	Marr	Snell
Blanton	Graham	Mays	Springer
Bowers	Grainger	McCorquodale	Starnes
Brannan	Hain	McElhanev	Steagall
Brassell	Hardin	Meade	Stembridge
Burgess	Harper	Meeks	Tuck
Collier	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Crane	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	Jackson (F)		

—74

And the bill:

H. 1394. To fix the compensation or salary of the Judges of the

Criminal Court of Jefferson County and to regulate the payment of the salaries of said judges.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Adwell	Edington	Kilgore	Pearson
Agee	Ellis	Laxson	Pennington
Bank	Fine	Lemley	Perloff
Bassett	Foshee	Lybrand	Sessions
Beck	Garrett	Lyons	Snell
Berryman (W)	Graham	Manley	Springer
Blanton	Grainger	Marr	Starnes
Brannan	Grayson	Mays	Steagall
Brassell	Hain	McCorquodale	Stembridge
Burgess	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Waggoner
Collins (C)	Harris	Meeks	Watkins
Collins (W)	Haygood	Melton	Weeks
Crane	Headley	Merrill	Williams
Crawford	Higginbotham	Nettles	Wood
Culver	Holladay	Neville	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing			

—77

And the bill:

H. 1395. To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Adwell	Drake	Jackson (F)	Paulk
Agee	Edington	Laxson	Pearson
Bank	Ellis	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Sessions
Berryman (W)	Garrett	Manley	Snell
Blanton	Graham	Marr	Springer
Brannan	Grainger	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Burgess	Hain	McElhaney	Stembridge
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Watkins
Collins (W)	Harris	Melton	Weeks
Crane	Haygood	Merrill	Williams
Crawford	Headley	Money	Wood
Culver	Higginbotham	Nettles	Wright
Dill	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young

—76

And the bill:

H. 1396. To fix the compensation or salary of the Register of the Circuit Court in all Counties having a population of 600,000 or more according to the last or any succeeding Federal census and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-
with to the Senate without engrossment.

Yeas 62; Nay 1.

Yeas:

Mr. Speaker	Foshee	Lyons	Pearson
Adwell	Garrett	Manley	Pennington
Agee	Graham	Marr	Perloff
Bassett	Grainger	Mays	Sessions
Beck	Hain	McCorquodale	Snell
Berryman (W)	Harper	McElhaney	Springer
Blanton	Harris	Meade	Stembridge
Collier	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Waggoner
Crawford	Higginbotham	Money	Watkins
Dill	Holladay	Nettles	Weeks
Dobbs	Holman	Neville	Williams
Downing	Jackson (F)	Owen (Baldwin)	Wood
Drake	Laxson	Owens (W)	Wright
Edington	Lemley	Paulk	Young
Ellis	Lybrand		

—62

Nay: Mr. Bank

—1

And the bill:

H. 1397. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was read a third time at length and passed, and ordered sent forth-
with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Sessions
Bassett	Fine	Lyons	Snell
Beck	Foshee	Manley	Springer
Berryman (W)	Graham	Marr	Starnes
Blanton	Grainger	Mays	Steagall
Brannan	Grayson	McCorquodale	Stembridge
Brassell	Hain	McElhaney	Tuck
Burgess	Hardin	Meade	Turnham
Collier	Harper	Meeks	Watkins
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Crane	Headley	Nettles	Wood
Crawford	Higginbotham	Neville	Wright
Culver	Holladay	Owen (Baldwin)	Yeilding
Dill	Holman	Owens (W)	Young
Dobbs	Jackson (F)	Paulk	

—75

And the bill:

H. 1398. To amend Act No. 91, H. 63, First Extra Session 1964 (Act 1964, Page 124), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owens (W)
Adwell	Downing	Jackson (F)	Paulk
Agee	Drake	Kilgore	Pearson
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Snell
Beck	Fine	Lybrand	Springer
Berryman (W)	Foshee	Lyons	Starnes
Blanton	Garrett	Malone	Steagall
Brannan	Graham	Manley	Stembridge
Brassell	Grainger	Marr	Tuck
Burgess	Grayson	Mays	Turnham
Collier	Hain	McCorquodale	Waggoner
Collins (C)	Hardin	McElhaney	Watkins
Collins (W)	Harper	Meade	Weeks
Cook (Coffee)	Harris	Meeks	Williams
Crane	Haygood	Melton	Wood
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Neville	Yeilding
Dill	Holladay	Owen (Baldwin)	Young

—76

And the bill:

H. 1399. To provide for the payment of expense allowance for county officers serving in the positions of Tax Assessor, Tax Collector, Treasurer, Probate Judge, and Members of the County Board of Registrars in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson
Adwell	Edington	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Snell
Bassett	Foshee	Lyons	Springer
Beck	Garrett	Malone	Starnes
Blanton	Graham	Manley	Steagall
Brannan	Grainger	Marr	Stembridge
Brassell	Grayson	Mays	Tuck
Burgess	Hain	McElhaney	Turnham
Collier	Hardin	Meade	Watkins
Collins (C)	Harper	Meeks	Weeks
Collins (W)	Harris	Melton	Williams
Crane	Haygood	Money	Wood
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Neville	Yeilding
Dobbs	Holladay	Owen (Baldwin)	Young
Downing	Holman	Owens (W)	

—71

And the bill:

H. 1400. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was taken up.

Mr. Bowers offered the following amendment to the bill, H. 1400:

Amend Section 3 of H. B. 1400 by deleting the figures "1967" and inserting in lieu thereof "1971".

And the amendment was adopted.

Yeas 75; Nay 1.

Yeas:

Mr. Speaker	Edington	Laxson	Pearson
Adwell	Ellis	Lemley	Pennington
Agee	Fine	Lybrand	Perloff
Bank	Foshee	Lyons	Sessions
Bassett	Garrett	Malone	Snell
Beck	Gloor	Manley	Springer
Berryman (W)	Graham	Marr	Starnes
Blanton	Grainger	Mays	Steagall
Bowers	Grayson	McElhaney	Stembridge
Brannan	Hain	Meade	Tuck
Brassell	Hardin	Meeks	Turnham
Burgess	Harper	Melton	Watkins
Collins (C)	Harris	Merrill	Weeks
Collins (W)	Haygood	Money	Williams
Crawford	Headley	Nettles	Wood
Culver	Higginbotham	Neville	Wright
Dobbs	Holladay	Owen (Baldwin)	Yielding
Downing	Holman	Owens (W)	Young
Drake	Jackson (F)	Paulk	—75

Nay: Mr. Dill

—1

And the bill, H. 1400, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker	Crawford	Grayson	Lybrand
Agee	Culver	Hain	Lyons
Bank	Dobbs	Hardin	Malone
Bassett	Downing	Harper	Manley
Beck	Drake	Harris	Marr
Berryman (W)	Edington	Haygood	Mays
Blanton	Ellis	Headley	McDonald
Brannan	Fine	Higginbotham	McElhaney
Brassell	Foshee	Holladay	Meade
Burgess	Garrett	Holman	Meeks
Collier	Gloor	Jackson (F)	Melton
Collins (C)	Graham	Laxson	Merrill
Collins (W)	Grainger	Lemley	Money

Nettles	Pennington	Steagall	Williams
Neville	Perloff	Stembridge	Wood
Owen (Baldwin)	Sessions	Tuck	Wright
Owens (W)	Snell	Turnham	Yeilding
Paulk	Springer	Watkins	Young
Pearson	Starnes	Weeks	

—75

Nays: Messrs. Dill and Jackson (T) —2

And the bill:

H. 1415. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the Supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such Supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; to provide that this Act shall become effective on the first day of October, 1970.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson
Adwell	Ellis	Laxson	Pennington
Agee	Fine	Lemley	Perloff
Bank	Foshee	Lybrand	Sessions
Bassett	Garrett	Lyons	Snell
Beck	Gloor	Manley	Springer
Berryman (W)	Graham	Mays	Starnes
Blanton	Grainger	McDonald	Steagall
Brannan	Grayson	McElhaney	Stembridge
Brassell	Hain	Meade	Tuck
Burgess	Hardin	Meeks	Turnham
Collier	Harper	Melton	Waggoner
Collins (C)	Harris	Merrill	Watkins
Collins (W)	Haygood	Money	Weeks
Cook (Coffee)	Headley	Nettles	Williams
Crawford	Higginbotham	Neville	Wood
Culver	Hill	Owen (Baldwin)	Wright
Dill	Holladay	Owens (W)	Yeilding
Downing	Holman	Paulk	Young

—76

And the bill:

H. 1416. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson
Adwell	Edington	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Sessions
Beck	Foshee	Lyons	Snell
Berryman (W)	Garrett	Manley	Springer
Blanton	Gloor	Marr	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McDonald	Stembridge
Burgess	Grayson	McLain	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Meeks	Waggoner
Collins (W)	Harper	Melton	Watkins
Cook (Coffee)	Harris	Merrill	Weeks
Cook (Jefferson)	Haygood	Money	Williams
Crawford	Headley	Nettles	Wood
Culver	Higginbotham	Neville	Wright
Dill	Hill	Owen (Baldwin)	Yeilding
Dobbs	Holladay	Paulk	Young
Downing	Holman		

—78

And the bill:

H. 1417. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Collier	Foshee	Higginbotham
Adwell	Collins (W)	Garrett	Hill
Agee	Cook (Coffee)	Graham	Holladay
Bank	Crawford	Grainger	Holman
Bassett	Culver	Grayson	Jackson (F)
Beck	Dill	Hain	Laxson
Berryman (W)	Downing	Hardin	Lemley
Bowers	Drake	Harper	Lybrand
Brannan	Edington	Harris	Lyons
Brassell	Ellis	Haygood	Malone
Burgess	Fine	Headley	Manley

Marr	Money	Perloff	Waggoner
Mays	Nettles	Sessions	Watkins
McCorquodale	Neville	Snell	Weeks
McDonald	Owen (Baldwin)	Springer	Williams
Meade	Owens (W)	Starnes	Wood
Meeks	Paulk	Stembridge	Wright
Melton	Pearson	Tuck	Yeilding
Merrill	Pennington	Turnham	Young

—76

And the bill:

H. 1426. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owens (W)
Adwell	Edington	Jackson (F)	Paulk
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Garrett	Lyons	Sessions
Berryman (W)	Gloor	Malone	Snell
Blanton	Graham	Manley	Springer
Bowers	Grainger	Marr	Starnes
Brannan	Grayson	Mays	Steagall
Brassell	Hain	McCorquodale	Stembridge
Burgess	Hardin	McDonald	Tuck
Collier	Harper	Meade	Turnham
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Haygood	Melton	Weeks
Crawford	Headley	Merrill	Williams
Culver	Higginbotham	Money	Wood
Dill	Hill	Nettles	Wright
Dobbs	Holladay	Neville	Yeilding
Downing	Holman	Owen (Baldwin)	

—79

And the bill:

H. 1404. To amend Section 1 of Act Number 432, House Bill 937, Regular Session, 1961 Legislature of Alabama, as amended by Act Number 28, Senate Bill 101, Special Session, 1966, Legislature of Alabama; an act to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brassell
Agee	Beck	Bowers	Burgess
Bank	Berryman (W)	Brannan	Collier

Collins (W)	Hardin	Malone	Pennington
Cook (Jefferson)	Harper	Manley	Perloff
Crane	Harris	Mays	Sessions
Crawford	Haygood	McCorquodale	Springer
Culver	Headley	McDonald	Starnes
Dill	Higginbotham	McLain	Steagall
Dobbs	Hill	Meade	Stembridge
Drake	Holladay	Meeks	Tuck
Edington	Holman	Melton	Turnham
Foshee	House	Merrill	Waggoner
Gafford	Jackson (F)	Money	Weeks
Garrett	Jackson (T)	Nettles	Williams
Graham	Laxson	Neville	Wood
Grainger	Lemley	Owen (Baldwin)	Wright
Grayson	Lybrand	Owens (W)	Yeilding
Hain	Lyons	Paulk	Young

—76

And the bill:

H. 1405. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owen (Baldwin)
Agee	Ellis	Kilgore	Owens (W)
Bank	Fine	Laxson	Paulk
Bassett	Foshee	Lemley	Pennington
Beck	Gafford	Lybrand	Perloff
Berryman (W)	Garrett	Lyons	Sessions
Blanton	Graham	Malone	Springer
Bowers	Grainger	Manley	Starnes
Brannan	Grayson	Marr	Steagall
Brassell	Hain	Mays	Stembridge
Burgess	Hardin	McCorquodale	Tuck
Collier	Harper	McDonald	Turnham
Collins (W)	Harris	McLain	Waggoner
Cook (Coffee)	Haygood	Meade	Weeks
Crane	Headley	Meeks	Williams
Crawford	Higginbotham	Melton	Wood
Culver	Hill	Merrill	Wright
Dill	Holladay	Money	Yeilding
Downing	Holman	Nettles	Young
Drake	Jackson (F)	Neville	

—79

And the bill:

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Adwell	Edington	Kilgore	Paulk
Agee	Fine	Laxson	Pearson
Bank	Foshee	Lemley	Pennington
Bassett	Gafford	Lybrand	Perloff
Beck	Garrett	Lyons	Sessions
Berryman (W)	Gloor	Malone	Snell
Blanton	Graham	Manley	Springer
Bowers	Grainger	Marr	Starnes
Brannan	Grayson	Mays	Steagall
Brassell	Hain	McCorquodale	Stembridge
Burgess	Hardin	McDonald	Tuck
Collier	Harper	McLain	Turnham
Collins (W)	Harris	Meade	Waggoner
Cook (Coffee)	Haygood	Meeks	Weeks
Crane	Headley	Melton	Williams
Crawford	Higginbotham	Merrill	Wood
Culver	Hill	Money	Wright
Dill	Holladay	Nettles	Yeilding
Dobbs	Holman	Neville	Young
Downing	Jackson (F)	Owen (Baldwin)	

—83

And the bill:

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owen (Baldwin)
Adwell	Ellis	Kilgore	Owens (W)
Agee	Fine	Laxson	Paulk
Bank	Foshee	Lemley	Pearson
Bassett	Gafford	Lybrand	Pennington
Beck	Garrett	Lyons	Perloff
Berryman (W)	Graham	Malone	Sessions
Blanton	Grainger	Manley	Snell
Bowers	Grayson	Marr	Springer
Brassell	Hain	Mays	Starnes
Burgess	Hardin	McCorquodale	Steagall
Collier	Harper	McDonald	Stembridge
Collins (C)	Harris	McLain	Tuck
Collins (W)	Haygood	Meade	Turnham
Cook (Coffee)	Headley	Meeks	Waggoner
Crane	Higginbotham	Melton	Williams
Crawford	Hill	Merrill	Wood
Culver	Holladay	Money	Wright
Dill	Holman	Nettles	Yeilding
Downing	Jackson (F)	Neville	Young
Drake			

—81

And the bill:

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof

certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owen (Baldwin)
Agee	Ellis	Laxson	Owens (W)
Bank	Foshee	Lemley	Paulk
Berryman (W)	Gafford	Lybrand	Pearson
Blanton	Graham	Lyons	Perloff
Bowers	Grainger	Malone	Sessions
Brassell	Grayson	Manley	Springer
Burgess	Hain	Mays	Starnes
Collier	Hardin	McCorquodale	Stembridge
Collins (C)	Harris	McDonald	Tuck
Collins (W)	Haygood	McLain	Turnham
Cook (Coffee)	Headley	Meade	Waggoner
Crane	Higginbotham	Meeks	Williams
Crawford	Hill	Melton	Wood
Culver	Holladay	Merrill	Wright
Dill	Holman	Money	Yeilding
Downing	Jackson (F)	Neville	Young
Drake	Jackson (T)		

—70

And the bill:

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owen (Baldwin)
Agee	Edington	Jackson (F)	Owens (W)
Bank	Ellis	Jackson (T)	Paulk
Bassett	Fine	Kilgore	Pearson
Beck	Foshee	Laxson	Pennington
Berryman (W)	Gafford	Lemley	Perloff
Blanton	Garrett	Lybrand	Sessions
Bowers	Graham	Lyons	Snell
Brassell	Grainger	Manley	Springer
Burgess	Grayson	Mays	Starnes
Collier	Hain	McCorquodale	Steagall
Collins (C)	Hardin	McDonald	Stembridge
Collins (W)	Harper	McLain	Tuck
Cook (Coffee)	Harris	Meade	Turnham
Crane	Haygood	Meeks	Waggoner
Crawford	Headley	Melton	Williams
Culver	Higginbotham	Merrill	Wood
Dill	Hill	Money	Yeilding
Dobbs	Holladay	Nettles	Young
Downing	Holman	Neville	

—79

And the bill:

H. 1243 (with amendment). Relating to counties having a population of not less than 110,000 nor more than 160,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1, sixth line, after the phrase "of any" insert the following words: wastes composed of

Also, strike out the period at the end of Section 1, and insert the following: ; unless said waste is first treated or processed in accordance with standards promulgated by the Alabama Water Improvement Commission.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owen (Baldwin)
Agee	Fine	Kilgore	Owens (W)
Bank	Foshee	Laxson	Paulk
Bassett	Gafford	Lemley	Pearson
Beck	Garrett	Lybrand	Pennington
Berryman (W)	Graham	Lyons	Perloff
Blanton	Grainger	Malone	Sessions
Bowers	Grayson	Manley	Snell
Brannan	Hain	Marr	Springer
Brassell	Hardin	Mays	Starnes
Burgess	Harper	McCorquodale	Steagall
Collins (C)	Harris	McDonald	Stembridge
Collins (W)	Haygood	McLain	Tuck
Cook (Coffee)	Headley	Meade	Turnham
Crane	Higginbotham	Meeks	Waggoner
Crawford	Hill	Melton	Williams
Culver	Holladay	Merrill	Wood
Dill	Holman	Money	Wright
Downing	House	Nettles	Yeilding
Drake	Jackson (F)	Neville	Young
Edington	Jackson (T)		

—82

And the bill, H. 1243, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dobbs	Garrett
Agee	Burgess	Downing	Gloor
Bank	Collier	Drake	Graham
Bassett	Cook (Coffee)	Edington	Grainger
Beck	Crane	Ellis	Grayson
Berryman (W)	Crawford	Fine	Hardin
Blanton	Culver	Foshee	Harris
Brannan	Dill	Gafford	Haygood

Headley	Lybrand	Merrill	Sessions
Higginbotham	Lyons	Money	Springer
Hill	Manley	Nettles	Starnes
Holladay	Mays	Neville	Steagall
Holman	McCorquodale	Owen (Baldwin)	Stembridge
House	McDonald	Owens (W)	Tuck
Jackson (F)	McLain	Paulk	Williams
Jackson (T)	Meade	Pearson	Wood
Jones	Meeks	Pennington	Wright
Kilgore	Melton	Perloff	Yeilding
Lemley			

—73

And the bill:

H. 1377. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owen (Baldwin)
Agee	Edington	Jones	Owens (W)
Bank	Ellis	Kilgore	Pearson
Bassett	Foshee	Laxson	Pennington
Beck	Garrett	Lemley	Perloff
Berryman (W)	Graham	Lybrand	Sessions
Blanton	Grainger	Lyons	Smith
Brannan	Grayson	Malone	Snell
Brassell	Hain	Manley	Springer
Burgess	Hardin	Marr	Starnes
Collier	Harper	Mays	Steagall
Collins (C)	Harris	McCorquodale	Stembridge
Collins (W)	Haygood	McDonald	Tuck
Cook (Coffee)	Headley	McLain	Turnham
Crane	Higginbotham	Meade	Williams
Crawford	Hill	Meeks	Wood
Culver	Holladay	Melton	Wright
Dill	Holman	Merrill	Yeilding
Dobbs	House	Money	Young
Downing	Jackson (F)	Nettles	

—79

And the bill:

H. 1409. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Was taken up.

Mr. Holladay offered the following substitute to the bill, H. 1409:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

All of Section 31, Township 16, Range 4 East, except the West Half of the Southwest quarter; and SW $\frac{1}{4}$ of NW $\frac{1}{4}$; all that part of Section 30 lying South of the South right-of-way line of Interstate I-20; and all that part of Section 29 lying South of South right-of-way line of Interstate I-20 and West of Cropwell-Greensport public road (also known as Spanish Gardens road); and all that part of Section 32 lying West of Cropwell-Greensport public road, all in Township 16, Range 4 East. Also Section 6, less and except W $\frac{1}{2}$ of W $\frac{1}{2}$; SE $\frac{1}{4}$; S $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$; N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ thereof. The E $\frac{1}{2}$ of W $\frac{1}{2}$ of Section 7. The N $\frac{1}{2}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 5, less and except that part lying East of Seddon Creek. Section 4 lying South of Seddon Creek, less and except that portion lying below the 466 foot contour elevation line forming shore line of Logan Martin Lake, all in Township 17, Range 4 East.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owen (Baldwin)
Agee	Edington	Jackson (T)	Owens (W)
Bank	Ellis	Kilgore	Paulk
Beck	Fine	Laxson	Pearson
Berryman (W)	Foshee	Lemley	Pennington
Blanton	Gafford	Lybrand	Perloff
Brannan	Garrett	Lyons	Sessions
Brassell	Graham	Malone	Snell
Burgess	Grainger	Manley	Springer
Collier	Grayson	Marr	Starnes
Collins (W)	Hain	Mays	Steagall
Cook (Coffee)	Hardin	McDonald	Tuck
Cook (Jefferson)	Harper	McLain	Turnham
Crane	Harris	Meade	Waggoner
Crawford	Haygood	Meeks	Williams
Culver	Headley	Melton	Wood
Dill	Hill	Merrill	Wright
Dobbs	Holman	Money	Yeilding
Downing	House	Nettles	Young

—76

And the bill, H. 1409, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Paulk
Bank	Ellis	Kilgore	Pearson
Bassett	Foshee	Laxson	Pennington
Beck	Gafford	Lemley	Perloff
Berryman (W)	Garrett	Lybrand	Sessions
Blanton	Graham	Lyons	Snell
Brannan	Grainger	Malone	Springer
Brassell	Grayson	Manley	Starnes
Burgess	Hain	Mays	Steagall
Collier	Hardin	McDonald	Tuck
Collins (C)	Harper	Meade	Turnham
Cook (Coffee)	Harris	Meeks	Waggoner
Cook (Jefferson)	Haygood	Melton	Williams
Crane	Headley	Merrill	Wood
Culver	Hill	Money	Wright
Dill	Holladay	Nettles	Yeilding
Dobbs	Holman	Neville	Young
Downing	House	Owen (Baldwin)	

—75

And the bill:

S. 816. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Paulk
Adwell	Ellis	Kilgore	Pearson
Agee	Fine	Laxson	Pennington
Bank	Foshee	Lemley	Perloff
Beck	Gafford	Lybrand	Sessions
Berryman (W)	Garrett	Lyons	Snell
Blanton	Graham	Malone	Springer
Brannan	Grainger	Manley	Starnes
Brassell	Grayson	Marr	Steagall
Burgess	Hain	Mays	Stubbs
Collier	Harper	Meade	Tuck
Collins (C)	Harris	Meeks	Turnham
Cook (Coffee)	Haygood	Melton	Waggoner
Crane	Headley	Merrill	Williams
Culver	Higginbotham	Money	Wood
Dill	Hill	Nettles	Wright
Dobbs	Holman	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Drake			

—73

And the bill:

S. 815. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Foshee	Kilgore	Paulk
Adwell	Gafford	Laxson	Pearson
Agee	Garrett	Lemley	Pennington
Bank	Graham	Lybrand	Perloff
Beck	Grainger	Lyons	Sessions
Berryman (W)	Grayson	Malone	Snell
Blanton	Hain	Manley	Springer
Brannan	Harper	Mays	Starnes
Brassell	Harris	McDonald	Steagall
Burgess	Haygood	McLain	Stubbs
Collier	Headley	Meade	Tuck
Collins (C)	Higginbotham	Meeks	Turnham
Crane	Hill	Melton	Waggoner
Dill	Holladay	Merrill	Williams
Downing	Holman	Money	Wood
Drake	House	Nettles	Wright
Edington	Jackson (F)	Owen (Baldwin)	Yeilding
Ellis	Jackson (T)	Owens (W)	Young

—72

And the bill:

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owens (W)
Adwell	Edington	Jackson (F)	Paulk
Agee	Ellis	Jackson (T)	Pearson
Bank	Fine	Kilgore	Pennington
Beck	Foshee	Laxson	Perloff
Berryman (W)	Gafford	Lemley	Sessions
Blanton	Garrett	Lybrand	Snell
Brannan	Graham	Lyons	Springer
Brassell	Grainger	Malone	Starnes
Burgess	Grayson	Manley	Steagall
Collier	Hain	Marr	Stubbs
Collins (C)	Harper	Mays	Tuck
Collins (W)	Harris	Meade	Turnham
Cook (Coffee)	Haygood	Meeks	Waggoner
Cook (Jefferson)	Headley	Melton	Williams
Crane	Higginbotham	Merrill	Wood
Culver	Hill	Money	Wright
Dill	Holladay	Nettles	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Downing			

—77

And the bill:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people ac-

ording to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Paulk
Agee	Ellis	Jackson (T)	Pearson
Bank	Fine	Kilgore	Pennington
Bassett	Foshee	Laxson	Perloff
Beck	Gafford	Lemley	Sessions
Berryman (W)	Garrett	Lybrand	Snell
Blanton	Graham	Lyons	Springer
Brannan	Grainger	Malone	Starnes
Brassell	Grayson	Manley	Steagall
Burgess	Hain	Marr	Stembridge
Collier	Hardin	Mays	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Turnham
Cook (Coffee)	Haygood	Melton	Waggoner
Crane	Headley	Merrill	Williams
Culver	Higginbotham	Money	Wood
Dill	Hill	Nettles	Wright
Dobbs	Holladay	Owen (Baldwin)	Yeilding
Downing	Holman	Owens (W)	Young
Drake	House		

—78

UNFINISHED BUSINESS

The House proceeded to the consideration of the unfinished business on the bill, H. 673.

And the bill:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over the state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Was again taken up.

The question was on the motion of Mr. Lyons to table the motion of Mr. McCorquodale to adopt the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill.

And the motion to table was lost.

Yeas 17; Nays 71.

Yeas:

Messrs.:	Garrett	Holladay	Owen (Baldwin)
Berryman (W)	Grainger	Lyons	Perloff
Collins (C)	Grayson	McLain	Stubbs
Dobbs	Hardin	Nettles	Wood
Edington	Haygood		

—17

Nays:

Mr. Speaker	Dill	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Manley	Robertson
Beck	Foshee	Marr	Sessions
Blanton	Gafford	Mathews	Smith
Bolton	Gloor	Mays	Springer
Bowers	Graham	McCorquodale	Starnes
Brannan	Hain	McDonald	Steagall
Brassell	Harris	McElhaney	Stembridge
Burgess	Headley	Meade	Tuck
Cameron	Hill	Meeks	Turnham
Collins (W)	Hobbie	Melton	Waggoner
Cook (Coffee)	Holman	Merrill	Watkins
Cook (Jefferson)	House	Money	Wright
Crawford	Jackson (F)	Owens (W)	Young
Culver	Jackson (T)	Owens (W.E.)	

—71

Mr. Lyons moved to carry over the bill, H. 673, to the thirty-sixth legislative day.

On motion of Mr. McCorquodale, the motion of Mr. Lyons to carry over was tabled.

Yeas 72; Nays 15.

Yeas:

Mr. Speaker	Crawford	Laxson	Owens (W.E.)
Adwell	Culver	Lemley	Paulk
Agee	Dill	Lybrand	Pearson
Bank	Downing	Malone	Pennington
Bassett	Drake	Manley	Pruitt
Beck	Ellis	Marr	Robertson
Berryman (W)	Fine	Mathews	Sessions
Blanton	Foshee	Mays	Smith
Bowers	Graham	McCorquodale	Springer
Brannan	Hain	McDonald	Starnes
Brassell	Hardin	McElhaney	Steagall
Brown	Harris	Meade	Stembridge
Burgess	Headley	Meeks	Tuck
Cameron	Hill	Melton	Turnham
Collins (W)	Holman	Merrill	Waggoner
Cook (Coffee)	House	Money	Watkins
Cook (Jefferson)	Jackson (F)	Neville	Wright
Crane	Kilgore	Owens (W)	Young

—72

Nays:

Messrs.:	Edington	Hobbie	Owen (Baldwin)
Bolton	Garrett	Jackson (T)	Perloff
Collins (C)	Grainger	McLain	Stubbs
Dobbs	Grayson	Nettles	Wood

—15

Mr. Lyons moved to carry over the Conference Committee report on the bill, H. 673, to the thirty-fifth legislative day.

On motion of Mr. McCorquodale, the motion of Mr. Lyons to carry over was tabled.

Yeas 68; Nays 17.

Yeas:

Mr. Speaker	Ellis	Lybrand	Pennington
Adwell	Fine	Manley	Pruitt
Agee	Foshee	Marr	Robertson
Bank	Graham	Mathews	Sessions
Bassett	Grayson	Mays	Smith
Blanton	Hain	McCorquodale	Snell
Bowers	Harris	McDonald	Springer
Brannan	Headley	McElhaney	Starnes
Brassell	Hill	Meade	Steagall
Brown	Hobbie	Melton	Stembridge
Burgess	Holman	Merrill	Tuck
Collins (W)	House	Money	Turnham
Cook (Coffee)	Jackson (F)	Neville	Waggoner
Cook (Jefferson)	Jackson (T)	Owens (W)	Watkins
Crawford	Kilgore	Owens (W.E.)	Williams
Culver	Laxson	Paulk	Wright
Drake	Lemley	Pearson	Young

—68

Nays:

Messrs.:	Downing	Holladay	Perloff
Beck	Edington	Lyons	Stubbs
Berryman (W)	Garrett	McLain	Weeks
Collins (C)	Grainger	Owen (Baldwin)	Wood
Dobbs	Haygood		

—17

Mr. Edington moved to carry over the bill, H. 673, to the thirty-third legislative day.

On motion of Mr. McCorquodale, the motion of Mr. Edington to carry over was tabled.

Yeas 65; Nays 18.

Yeas:

Mr. Speaker	Downing	Lybrand	Pennington
Adwell	Drake	Manley	Pruitt
Agee	Ellis	Marr	Robertson
Bank	Fine	Mathews	Sessions
Bassett	Foshee	Mays	Smith
Beck	Hain	McCorquodale	Snell
Blanton	Harris	McDonald	Springer
Bowers	Headley	McElhaney	Starnes
Brannan	Hill	Meade	Steagall
Brassell	Hobbie	Melton	Stembridge
Brown	Holman	Merrill	Tuck
Burgess	House	Money	Turnham
Collins (W)	Jackson (F)	Neville	Waggoner
Cook (Coffee)	Kilgore	Owens (W)	Watkins
Cook (Jefferson)	Laxson	Paulk	Wright
Crawford	Lemley	Pearson	Young
Culver			

—65

Nays:

Messrs.:	Garrett	Holladay	Perloff	
Berryman (W)	Grainger	Jackson (T)	Stubbs	
Collins (C)	Grayson	McLain	Weeks	
Dobbs	Hardin	Meeks	Wood	
Edington	Haygood	Owen (Baldwin)		—18

On motion of Mr. McCorquodale, the Report of the Committee of Conference on the bill, H. 673, was adopted.

Yeas 75; Nays 14.

Yeas:

Mr. Speaker	Culver	Lemley	Pearson	
Adwell	Downing	Lybrand	Pennington	
Agee	Drake	Malone	Pruitt	
Bank	Ellis	Manley	Robertson	
Bassett	Fine	Marr	Sessions	
Beck	Foshee	Mathews	Smith	
Berryman (W)	Garrett	Mays	Snell	
Blanton	Hain	McCorquodale	Springer	
Bolton	Hardin	McDonald	Starnes	
Bowers	Harris	McElhaney	Steagall	
Brannan	Headley	Meade	Stembridge	
Brassell	Higginbotham	Melton	Tuck	
Brown	Hill	Merrill	Turnham	
Burgess	Hobbie	Money	Waggoner	
Cameron	Holman	Neville	Watkins	
Collins (W)	House	Owen (Baldwin)	Williams	
Cook (Coffee)	Jackson (F)	Owens (W)	Wright	
Cook (Jefferson)	Kilgore	Owens (W.E.)	Young	
Crawford	Laxson	Paulk		—75

Nays:

Messrs.:	Grainger	Lyons	Stubbs	
Collins (C)	Grayson	McLain	Weeks	
Dobbs	Haygood	Nettles	Wood	
Edington	Holladay	Perloff		—14

And the bill:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brannan	Crawford	Gloor	
Adwell	Brassell	Culver	Graham	
Agee	Burgess	Downing	Grainger	
Bank	Cameron	Drake	Grayson	
Bassett	Collier	Edington	Hain	
Beck	Collins (C)	Ellis	Hardin	
Berryman (W)	Collins (W)	Fine	Harper	
Blanton	Cook (Coffee)	Foshee	Harris	
Bolton	Cook (Jefferson)	Garrett	Haygood	

Headley	Manley	Neville	Starnes
Higginbotham	Marr	Owen (Baldwin)	Steagall
Hill	Mathews	Owens (W)	Stembridge
Hobbie	Mays	Owens (W.E.)	Stubbs
Holladay	McCorquodale	Paulk	Tuck
Holman	McDonald	Pearson	Turnham
House	McElhaney	Pennington	Waggoner
Jackson (F)	McLain	Perloff	Watkins
Jackson (T)	Meade	Pruitt	Weeks
Kilgore	Meeks	Robertson	Williams
Laxson	Melton	Sessions	Wood
Lemley	Merrill	Smith	Wright
Lybrand	Money	Snell	Yeilding
Lyons	Nettles	Springer	Young
Malone			

H. 269 INDEFINITELY POSTPONED

On motion of Mr. Ellis, the bill:

H. 269. To promote highway safety: to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Was indefinitely postponed.

And the bill:

H. 1285. To amend Section 1 of Act No. 60, Second Special Session 1965, Acts of Alabama, Second and Third Special Sessions, Vol. 1, page 85, an Act to levy and provide for the collection of a tax in the amount of one dollar (\$1.00) upon each criminal and quasi criminal case docketed in every court in the State of Alabama, with certain enumerated exceptions as to courts and cases, so as to increase the amount of such tax.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 8.

Yeas:

Mr. Speaker	Fine	Manley	Perloff
Agee	Foshee	Marr	Pruitt
Bank	Garrett	Mays	Robertson
Bassett	Graham	McCorquodale	Sessions
Beck	Grayson	McDonald	Snell
Berryman (W)	Hain	McElhaney	Springer
Brannan	Hardin	McLain	Starnes
Brassell	Harper	Meade	Stembridge
Burgess	Harris	Meeks	Stubbs
Cameron	Headley	Melton	Tuck
Collier	Holladay	Merrill	Turnham
Collins (C)	Holman	Owen (Baldwin)	Watkins
Collins (W)	House	Owens (W)	Weeks
Cook (Coffee)	Jackson (F)	Owens (W.E.)	Wood
Downing	Lemley	Paulk	Wright
Drake	Lybrand	Pearson	Yeilding
Edgington	Malone	Pennington	Young
Ellis			

Nays:

Messrs.:	Crawford	Haygood	Smith
Bolton	Grainger	Hill	Williams
Cook (Jefferson)			

—8

MOTION TO BRING UP H. 36 LOST

The motion of Mr. Graham to suspend the rules and bring up out of order the bill, H. 36, was lost.

Yeas 55; Nays 31.

Yeas:

Messrs.:	Dobbs	Haygood	Nettles
Agee	Drake	Higginbotham	Owens (W.E.)
Bank	Edington	Hill	Pearson
Beck	Ellis	Jackson (T)	Perloff
Berryman (W)	Fine	Lemley	Robertson
Bolton	Gafford	Lybrand	Sessions
Brannan	Garrett	Lyons	Snell
Brassell	Gloor	Malone	Starnes
Brown	Graham	Marr	Stubbs
Cameron	Grainger	McCorquodale	Turnham
Collier	Grayson	McElhaney	Weeks
Collins (W)	Hardin	McLain	Williams
Cook (Coffee)	Harper	Meeks	Wood
Culver	Harris	Melton	Yeilding

—55

Nays:

Mr. Speaker	Headley	McDonald	Pruitt
Bassett	Hobbie	Meade	Springer
Collins (C)	Holman	Merrill	Stembridge
Cook (Jefferson)	House	Money	Tuck
Crawford	Jackson (F)	Owen (Baldwin)	Waggoner
Downing	Manley	Owens (W)	Wright
Foshee	Mathews	Paulk	Young
Hain	Mays	Pennington	

—31

And the bill:

H. 50 (with substitute). Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party."

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to elections; to amend Code of Alabama, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates, to define the term "political party", and making further provisions respecting Presidential Electors and to provide for the appearance on the ballot of names of nominees for President and Vice President of the United States; and to amend Code of Alabama, Title 17, Section 153, which relates to the form of ballot to be used at elections, consistent with the provisions of this

Act so as to provide for voting for Presidential Electors and for making the returns on votes for Presidential Electors.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama, Title 17, Section 145, as amended, is amended further to read as follows:

"Section 145. The probate judge of each county shall cause to be printed on the ballots to be used in their respective counties the names of all the candidates who have been put in nomination by any caucus, convention, mass meeting, primary election, or other assembly of any political party, as herein defined, in this state, and certified in writing and filed with him no less than sixty (60) days previous to the day of election, except as otherwise provided herein. The certificate must contain the names of each person nominated and the office for which he is nominated, and must be signed by the presiding officer and secretary of such caucus, convention, mass meeting, or other assembly, or by the chairman and secretary of the canvassing board of such primary election.

"In case of a person to be voted for by the electors of the whole state or of an entire congressional district judicial circuit or senatorial district for any state or federal office, the certificate of nomination must be filed in the office of the secretary of state not less than sixty (60) days before the day of election; and the secretary of state must thereupon immediately certify to the judge of probate of each county in the state, in case of an officer to be voted for by the electors of the whole state, and the judges of probate of the counties composing the circuit or district, in the case of an officer to be voted for by the electors of a circuit or district, upon suitable blanks to be prepared by him for that purpose, the fact of such nomination and the name of the nominee or nominees and the office to which he or they may be nominated.

"The judge of probate shall also cause to be printed upon the ballots, the name of any qualified elector who has been requested to be a candidate for any county office by written petition signed by at least such number of electors qualified to vote in the election to fill said office as equals five per cent of the total number of votes cast in such county at the last general election for such office, when such petition has been filed with him before the first Tuesday in May in the year in which a state-wide primary election is held.

"The secretary of state shall also certify to the judge of probate of the several counties, as the case may be, the name of any qualified elector who has been requested to be a candidate for any district, state or federal office by written petition signed by at least such number of electors qualified to vote in the election to fill said office, in the case of a district office, as equals five per cent of the total vote in the district for such office in the last general election to fill such office, and in the case of a state or federal office, as equals five per cent of the total vote cast at the last general election to fill such office; provided such petition is filed with the secretary of state before the first Tuesday in May in the year in which a state-wide primary election is held. The judge of probate shall cause to be printed upon the ballots, the name, or names, of such qualified elector or electors, as the case may be.

"Provided, however, that the judge of probate of the several counties in this state are hereby prohibited from causing to be printed on the ballot to be used in their respective counties, the name of any independent candidate for any state, county, or federal office who has not filed his declaration to become such a candidate by the first Tuesday in May in the year in which a state-wide primary election is held.

"Neither the secretary of state nor any probate judge shall file any declaration of candidacy, certificate of nomination or nominating petition received by him after five (5) o'clock p.m. on the last day allowed by law for candidates to qualify.

"The term 'political party' as used in this section and in this chapter means an organization or assemblage of electors as described in Sections 337 and 412 of this title, or a number of qualified electors, not less than 5,000 altogether, who, before the first Tuesday in May of a general election year, shall have nominated, by petition filed with the secretary of state, a candidate or candidates for state or federal office, under such party name and emblem as shall have been selected by them in accordance with state law.

"Provided, however, that when electors for President and Vice President of the United States are to be elected pursuant to Sections 65, 66, 75, 222 and 223, Title 17, Code of Alabama, 1940, as amended, then the electors nominated in the primaries or at party conventions or otherwise shall individually certify, at least sixty (60) days prior to the general election, to the secretary of state for whom they will vote if elected, and, if the vote of a group of electors for any one party is unanimous for the person to be voted for as President, his name shall be placed on the ballot, under the party emblem of the party which nominated the electors, as candidate for President; and if their vote is unanimous for the person to be voted for as Vice President, then such name shall be placed on the ballot, under the emblem of the party which nominated the electors, as candidate for Vice President; and the names of the candidates so placed for President and Vice President shall be preceded by the words: "Electors pledge to vote for:"

"In the event the electors do not unanimously certify that they will vote for the same persons for President and Vice President, then the words 'Not pledged to vote for the same candidates for President and Vice President' shall appear instead of the names of candidates, and in the event the electors all certify that they are unpledged then the words 'Unpledged to any candidates for President and Vice President' shall appear instead of the names of candidates.

"One voting lever shall be designated as herein set out or one space for voting shall appear adjacent to the names hereinabove set out to be printed on the ballot after the words 'President' and 'Vice President' or the wording otherwise provided herein to appear instead of the names of candidates, and adjacent to the designated lever or space for voting shall appear the words: "To vote for the electors listed, turn this one lever", or "To vote for the electors listed, mark this one space". Adjacent to these words shall appear the names of the persons nominated for electors, and the vote for each of the electors shall be the vote recorded by the single lever or in the single voting space. The names of such electors shall be printed in type smaller than other names on the ballot and shall be arranged in a box of lines without relation to any levers on voting machines.

"No candidate's name shall be placed on a ballot as a candidate for President or Vice President unless he files with the Secretary of State a certificate to the effect that he is willing for his name to be placed on the ballot under the emblem or name of a specific party, the name of which party shall be set out in his certificate of consent.

"No candidate's name shall be placed on the ballot in a general election as an independent candidate or as the nominee of another party for any county, district, state or federal office if he was a candidate for such office in a primary election and was defeated in such primary.

Section 2. Code of Alabama, 1940, as amended, Title 17, Section 153, is amended to read as follows:

"Section 153. There shall be provided at each polling place at each election at which public officers are voted for but one form of ballot for all the candidates for public office, and every ballot shall contain the names of all candidates whose nominations for any office specified on the ballot have been duly made and not withdrawn, except as otherwise provided for in this chapter, together with the title of the office, arranged in tickets, except as otherwise provided for in this chapter, under the titles of the respective political parties or independent bodies as certified in the certificates of nominations; provided, however, that when electors for President and Vice President of the United States are to be elected, the names of the candidates for President and Vice President shall be placed on the ballot as provided by Section 145 of this Title along with the names of the electors, pledged to vote for them, and above the names of the electors or groups of electors shall appear one space for voting or one lever for voting for all electors on the list, and the number of votes recorded by the one lever or appearing in the single space for voting shall be the vote for each of the electors appearing under such lever or space for voting. In making the return of the election, the election officials and all other officials charged with duties in connection therewith shall record as the vote for each of the electors the total number of votes recorded on the single counter above their names on the voting machine or the total number of votes marked in the single space for voting on a paper ballot."

Section 3. This Act shall not be construed to repeal or amend the provisions of Section 145 (1), Section 145 (2) or Section 145 (3).

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W.E.)
Adwell	Edington	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Gafford	Malone	Robertson
Berryman (W)	Garrett	Marr	Sessions
Blanton	Gloor	Mathews	Smith
Brannan	Grainger	Mays	Snell
Brassell	Grayson	McCorquodale	Springer
Brown	Hain	McDonald	Starnes
Burgess	Hardin	McLain	Steagall
Cameron	Harris	Meade	Stembridge
Collier	Haygood	Meeks	Stubbs
Collins (C)	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Williams
Crawford	Hill	Money	Wood
Culver	Hobbie	Nettles	Wright
Dill	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Downing	House	Owens (W)	

And the bill, H. 50, as thus amended:

Relating to elections; to amend Code of Alabama, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates, to define the term "political party", and making further provisions respecting Presidential Electors and to provide for the appearance on the ballot of names of nominees for President and Vice President of the United States; and to amend Code of Alabama, Title 17, Section 153, which relates to the form of ballot to be used at elections, consistent with the provisions of this Act so as to provide for voting for Presidential Electors and for making the returns on votes for Presidential Electors.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 2.

Yeas:

Messrs.:	Downing	Jackson (F)	Owens (W.E.)
Adwell	Drake	Laxson	Paulk
Agee	Edington	Lemley	Pearson
Bank	Ellis	Lybrand	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Marr	Robertson
Blanton	Garrett	Mathews	Sessions
Bolton	Gloor	Mays	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McLain	Starnes
Burgess	Hardin	Meade	Steagall
Cameron	Harris	Meeks	Stembridge
Collier	Haygood	Melton	Stubbs
Collins (C)	Headley	Merrill	Tuck
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wood
Cook (Jefferson)	Hobbie	Neville	Wright
Crawford	Holladay	Owen (Baldwin)	Yelding
Culver	Holman	Owens (W)	Young
Dobbs	House		

—85

Nays: Mr. Speaker and Dill

—2

And the bill:

H. 1302. Relating to the execution of certain public contracts on which competitive bidding is required; amending Section 9 of Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) and further amending Section 9 of Act No. 343, H. 71, Regular Session 1957 (Acts 1957, p. 452), so as to extend the period for which contracts may be made for the purchase of personal property or contractual services, subject to certain options.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bank	Berryman (W)	Brassell
Adwell	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess

Collier	Grayson	Malone	Perloff
Collins (C)	Hain	Manley	Pruitt
Collins (W)	Hardin	Marr	Robertson
Cook (Jefferson)	Harris	Mathews	Sessions
Crawford	Haygood	Mays	Smith
Culver	Headley	McCorquodale	Snell
Dill	Higginbotham	McElhaney	Springer
Dobbs	Hill	McLain	Starnes
Downing	Hobbie	Meade	Steagall
Drake	Holladay	Melton	Stembridge
Edington	Holman	Merrill	Stubbs
Ellis	House	Money	Tuck
Fine	Jackson (F)	Nettles	Turnham
Foshee	Jackson (T)	Owen (Baldwin)	Waggoner
Gafford	Kilgore	Owens (W)	Williams
Garrett	Laxson	Owens (W.E.)	Wright
Gloor	Lemley	Pearson	Yeilding
Graham	Lybrand	Pennington	Young
Grainger	Lyons		

—86

And the bill:

H. 1105 (with amendment). To amend Act No. 15, Third Special Session, Acts of Alabama, 1965, to provide that the Director of the Department of Archives and History shall be the executive director and archivist of the Alabama Academy of Honor created by said act.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

The title of H. B. 1105 is amended by striking the words "executive director" in the third line and inserting in lieu thereof "executive secretary".

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Fine	Kilgore	Pennington
Agee	Foshee	Laxson	Perloff
Bank	Gafford	Lemley	Pruitt
Bassett	Garrett	Lybrand	Robertson
Beck	Gloor	Malone	Sessions
Berryman (W)	Graham	Manley	Smith
Blanton	Grainger	Marr	Snell
Brannan	Grayson	Mathews	Springer
Brassell	Hain	Mays	Starnes
Brown	Hardin	McCorquodale	Steagall
Burgess	Harris	McElhaney	Stembridge
Cameron	Haygood	McLain	Stubbs
Collier	Headley	Meade	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Cook (Jefferson)	Hill	Money	Waggoner
Culver	Hobbie	Nettles	Williams
Dill	Holladay	Owen (Baldwin)	Wood
Dobbs	Holman	Owens (W)	Wright
Downing	House	Owens (W.E.)	Yeilding
Drake	Jackson (F)	Pearson	Young
Ellis	Jackson (T)		

—82

And the bill, H. 1105, as thus amended:

H. 1105. To amend Act No. 15, Third Special Session, Acts of Alabama, 1965, to provide that the Director of the Department of Archives and History shall be the executive secretary and archivist of the Alabama Academy of Honor created by said act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)
Adwell	Edington	Jones	Pearson
Agee	Ellis	Kilgore	Pennington
Bank	Fine	Laxson	Perloff
Bassett	Foshee	Lemley	Pruitt
Beck	Gafford	Lybrand	Robertson
Berryman (W)	Garrett	Lyons	Sessions
Blanton	Gloor	Malone	Smith
Brannan	Graham	Manley	Snell
Brassell	Grainger	Marr	Springer
Brown	Grayson	Mathews	Starnes
Burgess	Hain	Mays	Steagall
Cameron	Hardin	McCorquodale	Stembridge
Collier	Harris	McElhaney	Stubbs
Collins (C)	Haygood	McLain	Tuck
Collins (W)	Headley	Meade	Turnham
Cook (Coffee)	Higginbotham	Melton	Waggoner
Cook (Jefferson)	Hill	Money	Williams
Crawford	Hobbie	Nettles	Wood
Culver	Holladay	Neville	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Downing	Jackson (F)		

—89

And the bill:

H. 1107. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brown	Drake	Hain
Adwell	Cameron	Edington	Hardin
Agee	Collier	Ellis	Harris
Bank	Collins (W)	Fine	Haygood
Bassett	Cook (Coffee)	Foshee	Headley
Beck	Cook (Jefferson)	Gafford	Higginbotham
Berryman (W)	Crawford	Garrett	Hobbie
Blanton	Culver	Gloor	Holladay
Bolton	Dill	Graham	Holman
Brannan	Dobbs	Grainger	House
Brassell	Downing	Grayson	Jackson (F)

Jackson (T)	McCorquodale	Owens (W)	Starnes
Kilgore	McElhaney	Owens (W.E.)	Steagall
Laxson	McLain	Pearson	Stembridge
Lemley	Meade	Pennington	Stubbs
Lybrand	Meeks	Perloff	Tuck
Lyons	Melton	Pruitt	Turnham
Malone	Merrill	Robertson	Waggoner
Manley	Money	Sessions	Williams
Marr	Nettles	Smith	Wood
Mathews	Neville	Snell	Wright
Mays	Owen (Baldwin)	Springer	Young

—88

And the bill:

H. 584. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade Schools Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Adwell	Drake	Kilgore	Owens (W.E.)
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Garrett	Malone	Robertson
Blanton	Gloor	Manley	Smith
Bolton	Grainger	Marr	Snell
Brannan	Grayson	Mathews	Springer
Brassell	Hain	Mays	Starnes
Brown	Hardin	McCorquodale	Steagall
Cameron	Harris	McDonald	Stembridge
Collier	Haygood	McElhaney	Stubbs
Collins (C)	Headley	McLain	Tuck
Collins (W)	Higginbotham	Meade	Turnham
Cook (Coffee)	Hill	Meeks	Waggoner
Cook (Jefferson)	Hobbie	Melton	Williams
Crawford	Holladay	Merrill	Wood
Culver	Holman	Money	Wright
Dill	House	Nettles	Yeilding
Dobbs	Jackson (F)	Owen (Baldwin)	Young

—88

And the bill:

H. 1002. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 8.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Laxson	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Manley	Robertson
Berryman (W)	Gloor	Mays	Smith
Blanton	Graham	McCorquodale	Snell
Bolton	Grainger	McDonald	Springer
Brannan	Grayson	McElhaney	Starnes
Brassell	Hain	Meade	Steagall
Brown	Hardin	Melton	Stembridge
Burgess	Haygood	Merrill	Tuck
Cameron	Headley	Money	Turnham
Collier	Higginbotham	Nettles	Watkins
Collins (C)	Hill	Neville	Williams
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wood
Cook (Jefferson)	Holman	Owens (W)	Wright
Culver	House	Owens (W.E.)	Young
Dill			—73

Nays:

Messrs.:	Gafford	Jackson (T)	Lyons
Collins (W)	Garrett	Kilgore	Marr
Crawford			—8

And the bill:

H. 593. To repeal Title 8, Section 95, Code of Alabama 1940; 1935 General Acts, Page 813, and to amend Act No. 187, H 186, Acts of Alabama, Special Session 1961, Page 2157, approved September 15, 1961, which relates to licenses to capture and kill fur-bearing animals.

Was taken up.

Mr. Young offered the following amendment to the bill, H. 593:

Amend Section 2 of House Bill No. 593 after the words "twenty five dollars and fifteen cents" and before the words "Said trapping license shall be valid" insert the following sentence: "Any resident or non-resident when trapping for beaver only shall not be required to pay a license fee."

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Collier	Ellis	Haygood
Agee	Collins (C)	Fine	Headley
Bank	Collins (W)	Foshee	Higginbotham
Bassett	Cook (Coffee)	Gafford	Hill
Beck	Cook (Jefferson)	Garrett	Hobbie
Berryman (W)	Crawford	Gloor	Holladay
Bolton	Culver	Graham	Holman
Brannan	Dill	Grainger	House
Brassell	Dobbs	Grayson	Jackson (F)
Brown	Downing	Hain	Jackson (T)
Burgess	Drake	Hardin	Jones
Cameron	Edington	Harris	Kilgore

Laxson	McDonald	Owens (W.E.)	Steagall
Lemley	McElhaney	Pearson	Stembridge
Lybrand	Meade	Pennington	Stubbs
Lyons	Melton	Perloff	Tuck
Malone	Merrill	Pruitt	Turnham
Manley	Money	Sessions	Waggoner
Marr	Nettles	Smith	Wood
Mathews	Neville	Snell	Wright
Mays	Owen (Baldwin)	Springer	Yeilding
McCorquodale	Owens (W)	Starnes	Young

—88

And the bill, H. 593, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owens (W)
Adwell	Ellis	Laxson	Owens (W.E.)
Agee	Foshee	Lemley	Pearson
Bank	Gafford	Lybrand	Pennington
Bassett	Garrett	Lyons	Perloff
Beck	Graham	Malone	Pruitt
Berryman (W)	Grainger	Manley	Sessions
Bolton	Grayson	Marr	Smith
Brannan	Hain	Mathews	Snell
Brassell	Hardin	Mays	Springer
Burgess	Harris	McCorquodale	Starnes
Cameron	Haygood	McDonald	Steagall
Collier	Headley	McElhaney	Stembridge
Collins (W)	Higginbotham	Meade	Stubbs
Cook (Jefferson)	Hill	Melton	Tuck
Crawford	Hobbie	Merrill	Turnham
Culver	Holman	Money	Williams
Dill	House	Nettles	Wood
Dobbs	Jackson (F)	Neville	Yeilding
Downing	Jones	Owen (Baldwin)	Young
Drake			

—81

And the bill:

H. 775. To provide for installation of certain distinctive plaques in public school buildings, and making an appropriation to pay therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 17.

Yeas:

Mr. Speaker	Brassell	Downing	Harris
Adwell	Brown	Drake	Haygood
Agee	Burgess	Edington	Headley
Bank	Cameron	Ellis	Hill
Bassett	Collier	Fine	Hobbie
Beck	Collins (C)	Foshee	Holman
Berryman (W)	Collins (W)	Garrett	House
Blanton	Cook (Coffee)	Grayson	Jackson (F)
Bolton	Cook (Jefferson)	Hain	Jones
Brannan	Culver	Hardin	Laxson

Lemley	Melton	Perloff	Stubbs
Lybrand	Merrill	Robertson	Tuck
Malone	Money	Sessions	Turnham
Mathews	Owen (Baldwin)	Smith	Waggoner
Mays	Owens (W)	Snell	Williams
McDonald	Owens (W.E.)	Springer	Wood
Meade	Pearson	Starnes	Young
Meeks	Pennington	Steagall	—71

Nays:

Messrs.:	Grainger	Lyons	Pruitt
Crawford	Higginbotham	Manley	Stembridge
Dill	Holladay	Marr	Wright
Gafford	Jackson (T)	Nettles	Yeilding
Gloor	Kilgore		—17

And the bill:

H. 993. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 14.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Cameron

Collier	Hain	Manley	Pennington
Collins (C)	Hardin	Marr	Perloff
Collins (W)	Harris	Mathews	Pruitt
Crawford	Haygood	Mays	Sessions
Culver	Headley	McCorquodale	Snell
Downing	Higginbotham	McDonald	Springer
Drake	Hill	McElhaney	Starnes
Edington	Hobbie	McLain	Steagall
Ellis	Holman	Meade	Stubbs
Fine	Jackson (F)	Melton	Tuck
Foshee	Laxson	Merrill	Turnham
Garrett	Lemley	Money	Williams
Gloor	Lybrand	Neville	Wood
Graham	Lyons	Owens (W)	Wright
Grainger	Malone	Pearson	Young
Grayson			

—73

Nays:

Messrs.:	Dill	Jones	Waggoner
Adwell	Gafford	Kilgore	Watkins
Cook (Jefferson)	Holladay	Meeks	Yeilding
Crane	Jackson (T)	Nettles	

—14

LEAVE OF ABSENCE

On motion of Mr. Adwell, leave of absence was granted to Mr. Cherner due to illness.

And the bill:

H. 3. To amend Section 5 of Act No. 352, H. 44, approved August 23, 1957, General Acts of Alabama of 1957, page 464, as amended by Act No. 80, H. 118, approved September 30, 1965, page 110, so as to remove the requirement that an allocation be made as to each pool where there is an addition to an existing fieldwide unit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Owens (W.E.)
Agee	Fine	Lemley	Pearson
Bank	Foshee	Lybrand	Pennington
Bassett	Gloor	Lyons	Perloff
Beck	Graham	Malone	Pruitt
Berryman (W)	Grainger	Manley	Robertson
Bowers	Grayson	Marr	Sessions
Brannan	Hain	Mathews	Smith
Brassell	Hardin	Mays	Snell
Brown	Harris	McCorquodale	Springer
Burgess	Haygood	McDonald	Starnes
Cameron	Headley	McElhaney	Stembridge
Collier	Higginbotham	Meade	Stubbs
Collins (C)	Hill	Meeks	Tuck
Collins (W)	Hobbie	Melton	Turnham
Crane	Holman	Merrill	Waggoner
Crawford	House	Money	Williams
Dill	Jackson (F)	Nettles	Wood
Downing	Jackson (T)	Neville	Wright
Drake	Jones	Owens (W)	Young
Edington	Kilgore		

—82

And the bill:

H. 2. To amend Sections 1, 2, 9, and 13 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama, 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama, 1949, page 1033; and to further amend Section 12 of Act No. 1, H. 46, approved May 22, 1945 as amended by Act No. 83, H. 6, approved April 12, 1956, General Acts of Alabama, Second Special Session, 1956, page 374, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama. The amendments will update the terminology of the basic conservation statute necessitated by technological advances, remove the 40-acre limitation on spacing, authorize the Board to integrate undivided interests and authorize down-hole commingling of production from thin sands.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 6.

Yeas:

Mr. Speaker	Fine	Malone	Pennington
Agee	Foshee	Manley	Perloff
Bank	Grainger	Marr	Pruitt
Bassett	Grayson	Mays	Robertson
Beck	Hain	McCorquodale	Sessions
Berryman (W)	Hardin	McDonald	Smith
Blanton	Harper	McElhaney	Snell
Brannan	Haygood	McLain	Springer
Brassell	Headley	Meade	Stembridge
Cameron	Hill	Meeks	Stubbs
Collier	Hobbie	Melton	Tuck
Collins (W)	Holladay	Merrill	Turnham
Cook (Coffee)	Jackson (F)	Money	Weeks
Crawford	Jones	Neville	Williams
Culver	Laxson	Owen (Baldwin)	Wood
Downing	Lemley	Owens (W)	Wright
Drake	Lybrand	Owens (W.E.)	Young
Ellis	Lyons	Pearson	—71

Nays:

Messrs.:	Gafford	Graham	Kilgore
Dill	Garrett	Jackson (T)	—6

And the bill:

H. 44. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume 1, Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 5.

Yeas:

Mr. Speaker	Bassett	Blanton	Cameron
Agee	Beck	Brannan	Collier
Bank	Berryman (W)	Brassell	Cook (Coffee)

Crawford	Higginbotham	McCorquodale	Pruitt
Dobbs	Hill	McDonald	Robertson
Downing	Hobbie	McLain	Sessions
Drake	Holladay	Meade	Smith
Ellis	Holman	Meeks	Snell
Fine	Jackson (F)	Melton	Springer
Gafford	Jackson (T)	Merrill	Starnes
Graham	Jones	Money	Steagall
Grainger	Kilgore	Nettles	Stembridge
Grayson	Laxson	Neville	Stubbs
Hain	Lemley	Owen (Baldwin)	Tuck
Hardin	Lybrand	Owens (W)	Turnham
Harper	Malone	Owens (W.E.)	Weeks
Harris	Manley	Pearson	Williams
Haygood	Marr	Pennington	Yeilding
Headley	Mathews	Perloff	Young

—76

Nays:

Messrs.:	Dill	Gloor	Wright
Collins (W)	Garrett		

—5

And the bill:

H. 361. To amend Section 2 of Act No. 1001, Acts of Alabama 1951 Regular Session of the Alabama Legislature, approved September 14, 1951, which prohibits certain methods for taking birds and animals in this State.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pennington
Adwell	Fine	Laxson	Perloff
Agee	Gafford	Lemley	Pruitt
Bank	Garrett	Lybrand	Robertson
Bassett	Gloor	Manley	Sessions
Beck	Graham	Marr	Smith
Berryman (W)	Grainger	Mathews	Snell
Blanton	Grayson	Mays	Springer
Bowers	Hain	McCorquodale	Starnes
Brannan	Hardin	McDonald	Steagall
Brassell	Harper	McElhanev	Stembridge
Cameron	Harris	McLain	Stubbs
Collier	Haygood	Meade	Tuck
Collins (W)	Headley	Meeks	Turnham
Cook (Coffee)	Higginbotham	Melton	Waggoner
Crane	Hill	Merrill	Weeks
Crawford	Hobbie	Money	Williams
Culver	Holladay	Nettles	Wood
Dill	Holman	Neville	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Owens (W.E.)	Young
Drake	Jones	Pearson	

—87

And the bill:

S. 715. To amend Sections 220, 221 and 224 of Title 52 of the Code of Alabama of 1940, which relate to capital outlay warrants issued by any County Board of Education or City Board of Education, so as to

clarify the said sections and so as to revise the provisions thereof as to the maximum interest rate, the maximum net interest cost, and the amount of redemption premiums that are permitted with respect to such warrants.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jones	Owen (Baldwin)
Adwell	Fine	Laxson	Owens (W)
Agee	Gafford	Lemley	Owens (W.E.)
Bank	Garrett	Lybrand	Pearson
Bassett	Gloor	Lyons	Pennington
Beck	Graham	Malone	Perloff
Berryman (W)	Grainger	Manley	Pruitt
Blanton	Grayson	Marr	Smith
Bowers	Hain	Mathews	Springer
Brannan	Hardin	Mays	Starnes
Brassell	Harper	McCorquodale	Steagall
Brown	Haygood	McDonald	Stembridge
Cameron	Headley	McElhaney	Stubbs
Collier	Higginbotham	McLain	Turnham
Collins (C)	Hill	Meade	Waggoner
Collins (W)	Hobbie	Meeks	Weeks
Crawford	Holladay	Melton	Williams
Culver	Holman	Merrill	Wood
Dill	House	Money	Wright
Dobbs	Jackson (F)	Nettles	Yeilding
Downing	Jackson (T)	Neville	Young
Drake			

—85

REPORT OF COMMITTEE ON CONFERENCE

We, your Committee on Conference, appointed on the disagreement of the two houses on the Senate amendment to House Bill No. 513, beg leave to report as follows:

(1) We recommend that the Senate and the House adopt the attached Conference Committee substitute for the bill.

HUGH D. MERRILL

Chairman

CHARLES T. MATHEWS

WALTER EUGENE GARRETT

Conferees on the part of the House

STEWART O'BANNON, JR.

WOODROW ALBEA

HUGH MORROW, III

Conferees on the part of the Senate

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 513

A BILL

TO BE ENTITLED

AN ACT

Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority,

and creating a fund providing appropriations for the payment of its expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Alabama Constitutional Commission, hereinafter referred to as "Commission", consisting of twenty-one members appointed as hereinafter provided.

Section 2. The Commission shall consider and investigate the necessity for and the extent and nature of desirable amendments to or general revision of the Constitution of 1901 of Alabama, and the appropriate procedures for submission and adoption of such amendments or revisions.

Section 3. The Commission shall make specific recommendations for amendments or revisions of the Constitution in a report to the Legislature through the President of the Senate and Speaker of the House of Representatives, and to the Governor, on or before the commencement of the Regular Session of the Legislature in 1971.

Section 4. The Commission shall hold public hearings, which shall be attended by not less than five members of the Commission, with respect to all constitutional amendments or revisions proposed to be recommended in its report in each of the Cities of Decatur, Birmingham, Montgomery, and Mobile at such times as it may determine, and it may hold such hearings at such other places and times as it may determine. The substance of all proposals to be discussed at such hearings shall be published at least two weeks in advance of the hearings in a daily newspaper or newspapers of general circulation in the area of the hearings as the Commission shall select.

Section 5. The Commission is authorized to employ professional assistants and advisers and clerical and other personnel and to appoint such advisory committees, all as it deems necessary; provided, however, that all persons employed and appointed under this section shall be bona fide residents of Alabama.

Section 6. All agencies of the State and its political subdivisions, including all colleges and universities supported in whole or in part by state funds, are directed to furnish such offices, facilities, advice, assistance and information as the Commission may request, to the extent reasonably within the ability of the agency, and the Commission is authorized to request and receive the benefits of same.

Section 7. The Commission shall cause its final report and such tentative and interim reports and recommendations as it may determine, to be printed for general circulation in such form and quantities, and on such terms as it shall prescribe. All of said reports and recommendations shall be of a public nature and shall be printed as provided in Code of Alabama, Title 55, Chapter 4, Article 4, Subdivision 2.

Section 8. The Commission shall consist of twenty-one members, of whom at least two shall reside in each Congressional District, selected as follows:

- (a) Fourteen members shall be appointed by the Governor;
- (b) The President of the Senate and the Speaker of the House shall be members of said Committee by reason of their office;
- (c) Three members shall be appointed by the Speaker of the House from the membership of the House;
- (d) Two members shall be appointed by the President of the Senate from the membership of the Senate.

Section 9. All appointments and acceptances shall be filed with the Clerk of the House, and published with the Acts of the Legislature. Members shall not be subject to removal. Vacancies resulting from death, incapacity as determined by the Commission, or resignation shall be filled by the officer making the appointment to the place in which the vacancy occurs. The Commission shall, by a majority vote of the whole Commission, designate one of its members as Chairman.

Section 10. The members of the Commission shall be entitled to receive thirty dollars (\$30.00) per diem and mileage on actual meeting days.

Section 11. The Commission shall adopt such rules, regulations and procedures for the conduct of its hearings, its committee meetings and other business of the Commission, as the Commission shall best determine. In adopting reports, making recommendations, determining the holding of public hearings, authorizing the use or disbursement of funds, and in other matters requiring Commission approval, the Commission shall act by a majority of its members present at a meeting thereof at which a quorum is present or by the written consent of a majority of its members. For the purposes of this Section, a quorum shall consist of thirteen members of the Commission.

Section 12. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act. There is hereby created in the State Treasury a fund which shall be known as the Constitutional Commission Fund. This fund shall consist of: (a) all moneys appropriated to the Commission by the State Legislature of Alabama; (b) all moneys received by the Commission by appropriation from county or municipal governments. The fund shall be used and expended as directed by the Commission.

Section 13. There is hereby appropriated to the Commission from the State General Fund the sum of \$100,000.00.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Merrill, the Report of Conference Committee on the bill, H. 513, was adopted.

Yeas 77; Nays 14.

Yeas:

Mr. Speaker	Dobbs	Headley	McDonald
Agee	Downing	Higginbotham	McElhaney
Bank	Drake	Hill	McLain
Bassett	Edgington	Hobbie	Meade
Beck	Ellis	Holladay	Meeks
Berryman (W)	Fine	Holman	Merrill
Blanton	Garrett	House	Money
Brannan	Gloor	Jackson (F)	Nettles
Brassell	Graham	Jones	Neville
Cameron	Grainger	Kilgore	Owen (Baldwin)
Cook (Coffee)	Grayson	Laxson	Owens (W.E.)
Cook (Jefferson)	Hain	Lybrand	Pearson
Crane	Hardin	Malone	Pennington
Crawford	Harper	Manley	Perloff
Culver	Harris	Mathews	Robertson
Dill	Haygood	Mays	Sessions

Smith	Stembridge	Weeks	Wright	
Springer	Tuck	Williams	Yeilding	
Starnes	Turnham	Wood	Young	
Steagall				—77

Nays:

Messrs.:	Collins (C)	Lyons	Owens (W)	
Adwell	Collins (W)	Marr	Pruitt	
Bowers	Gafford	McCorquodale	Stubbs	
Brown	Jackson (T)	Melton		—14

And the bill:

H. 447. Relating to public utilities, amending Section 84 of Title 48, Code of Alabama 1940 so as to prohibit the filing of supersedeas bonds to stay certain orders of the public service commission in cases of appeal.

Was taken up.

Mr. Foshee offered the following amendment to the bill, H. 447:

In Section 1 strike out the quotation marks at the end of Section 84 as in this bill amended and add as a part of such section the following:

In the event the appeal is taken to the circuit court such appeal shall be a preferred case in the circuit court and shall be decided within thirty days from the date of the appeal; and if an appeal is taken from the decision of the circuit court such appeal shall be a preferred case in the Supreme Court and shall be decided in such court within thirty days after the appeal thereto is filed.

And the amendment was adopted.

Yeas 77; Nay 1.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W.E.)	
Adwell	Edington	Jones	Pearson	
Agee	Ellis	Laxson	Pennington	
Bank	Fine	Lemley	Perloff	
Bassett	Foshee	Lybrand	Robertson	
Berryman (W)	Garrett	Malone	Sessions	
Bowers	Gloor	Manley	Springer	
Brannan	Grainger	Marr	Starnes	
Brassell	Hain	Mathews	Steagall	
Brown	Hardin	Mays	Stembridge	
Burgess	Harper	McCorquodale	Stubbs	
Cameron	Harris	McDonald	Tuck	
Collins (C)	Haygood	Meeks	Turnham	
Cook (Coffee)	Headley	Melton	Waggoner	
Cook (Jefferson)	Higginbotham	Merrill	Weeks	
Crane	Hill	Money	Williams	
Crawford	Holladay	Neville	Wright	
Culver	House	Owen (Baldwin)	Yeilding	
Dill	Jackson (F)	Owens (W)	Young	
Downing				—77

Nay: Mr. Collins (W)

—1

MOTION TO INDEFINITELY POSTPONE LOST

The motion of Mr. Nettles to indefinitely postpone the bill, H. 447, and all amendments, was lost.

Yeas 35; Nays 48.

Yeas:

Messrs.:	Gloor	Malone	Pruitt
Blanton	Hain	Manley	Springer
Bowers	Higginbotham	Mathews	Starnes
Cameron	Hill	McDonald	Stubbs
Collins (C)	Holladay	McElhaney	Waggoner
Collins (W)	Holman	McLain	Watkins
Cook (Jefferson)	House	Meeks	Wood
Downing	Lybrand	Merrill	Wright
Ellis	Lyons	Nettles	Yeilding

—35

Nays:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Fine	Jackson (T)	Pearson
Bassett	Foshee	Jones	Pennington
Beck	Garrett	Laxson	Perloff
Brannan	Graham	Lemley	Sessions
Brassell	Grainger	Marr	Steagall
Burgess	Grayson	Mays	Stembridge
Cook (Coffee)	Hardin	McCorquodale	Tuck
Crawford	Harris	Meade	Turnham
Culver	Haygood	Melton	Weeks
Dill	Headley	Neville	Williams
Dobbs	Hobbie	Owen (Baldwin)	Young

—48

And the bill, H. 447, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 40.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson
Agee	Fine	Jones	Pennington
Bank	Foshee	Laxson	Perloff
Bassett	Garrett	Lemley	Sessions
Beck	Graham	Marr	Steagall
Brannan	Grainger	Mays	Stembridge
Brassell	Grayson	Meade	Tuck
Burgess	Hardin	Melton	Turnham
Cook (Coffee)	Haygood	Neville	Williams
Crawford	Headley	Owen (Baldwin)	Yeilding
Culver	Hill	Owens (W)	Young
Dobbs	Hobbie	Owens (W.E.)	

—47

Nays:

Messrs.:	Gafford	Lyons	Nettles
Blanton	Gloor	Malone	Pruitt
Bowers	Hain	Manley	Smith
Cameron	Higginbotham	Mathews	Springer
Collins (C)	Holladay	McDonald	Stubbs
Collins (W)	Holman	McElhaney	Waggoner
Cook (Jefferson)	House	McLain	Watkins
Crane	Jackson (T)	Meeks	Weeks
Dill	Kilgore	Merrill	Wood
Downing	Lybrand	Money	Wright
Ellis			

—40

MOTION TO BRING UP H. 1238 LOST

The motion of Mr. Burgess to suspend the rules and bring up out of order the bill, H. 1238, was lost.

Yeas 44; Nays 32.

Yeas:

Messrs.:	Culver	Higginbotham	Owens (W.E.)
Adwell	Dill	Hobbie	Pearson
Agee	Dobbs	Holladay	Robertson
Bank	Drake	Jackson (F)	Springer
Blanton	Edington	Kilgore	Steagall
Brannan	Foshee	Lybrand	Stubbs
Brassell	Garrett	Marr	Watkins
Burgess	Gloor	McLain	Weeks
Cameron	Graham	Melton	Williams
Collins (W)	Grayson	Neville	Wright
Cook (Coffee)	Harris	Owen (Baldwin)	Young
Crane			

—44

Nays:

Mr. Speaker	Hain	Malone	Owens (W)
Beck	Hardin	Manley	Pennington
Collins (C)	Hill	Mays	Perloff
Cook (Jefferson)	House	McCorquodale	Pruitt
Crawford	Jackson (T)	McDonald	Tuck
Downing	Jones	McElhaney	Turnham
Ellis	Laxson	Meeks	Wood
Grainger	Lemley	Merrill	Yeilding

—32

RESOLUTION

The following resolution was introduced:

By Messrs. Edington, Lyons, Wood, Perloff, Collins (W), Grayson and Nettles:

H. J. R. 123. WHEREAS, the Alabama State Legislature is privileged to have among its members a woman Legislator, the lady from Mobile, Clara Stone Collins, and

WHEREAS, this lady has been elected first Vice-President and President-Elect of the National Order of Women Legislators, a nationally recognized organization which holds annual conventions to discuss legislative matters of mutual interest to the various states, and

WHEREAS, it is to the best interest of the State of Alabama to be officially represented at these conventions, especially in view of the fact that Representative Clara Stone Collins is President-Elect of this National Order;

NOW THEREFORE BE IT RESOLVED BY THE LEGISTALURE OF ALABAMA, Both Houses thereof concurring, That the lady from Mobile, Clara Stone Collins, be commended on her election as President-Elect of the National Order of Women Legislators, and that she be appointed Alabama's official delegate to the two annual conventions of the National Order of Women Legislators to be held in the next biennium, and that she be reimbursed for her ordinary and necessary expenses in attending these two conventions from the funds appropriated to the use of the Alabama Legislature upon the certificate of the Clerk of the House.

On motion of Mr. Edington, the rules were suspended and H. J. R. 123 was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owens (W)
Adwell	Ellis	Jones	Owens (W.E.)
Agee	Fine	Kilgore	Pearson
Bank	Foshee	Laxson	Pennington
Bassett	Gafford	Lemley	Perloff
Beck	Garrett	Lybrand	Pruitt
Berryman (W)	Gloor	Lyons	Sessions
Blanton	Graham	Malone	Smith
Bowers	Grainger	Manley	Springer
Brannan	Grayson	Marr	Starnes
Brassell	Hain	Mathews	Steagall
Cameron	Hardin	Mays	Stembridge
Collier	Harper	McCorquodale	Stubbs
Collins (W)	Harris	McDonald	Tuck
Cook (Coffee)	Haygood	McLain	Turnham
Cook (Jefferson)	Headley	Meade	Waggoner
Crane	Higginbotham	Meeks	Watkins
Crawford	Hill	Melton	Weeks
Culver	Hobbie	Merrill	Williams
Dill	Holladay	Money	Wood
Dobbs	Holman	Nettles	Wright
Downing	House	Neville	Yeilding
Drake	Jackson (F)	Owen (Baldwin)	Young

—92

And the bill:

H. 1327. To provide tuition grants, based upon financial need, to fulltime resident students attending accredited private institutions of higher education in the State of Alabama.

Was taken up.

Mr. Hill moved that the bill, H. 1327, be carried over to the thirty-first legislative day.

On motion of Mr. Hobbie, the motion of Mr. Hill to carry over was tabled.

Yeas 45; Nays 32.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Bassett	Drake	Lybrand	Pruitt
Beck	Edington	Malone	Sessions
Bowers	Garrett	Manley	Smith
Brown	Grayson	Mathews	Starnes
Cameron	Hain	Mays	Steagall
Collins (C)	Hardin	McElhaney	Stembridge
Collins (W)	Harris	Meade	Tuck
Cook (Coffee)	Headley	Melton	Weeks
Crane	Hobbie	Money	Williams
Crawford	Jackson (F)	Owens (W)	Young
Culver			

—45

Nays:

Messrs.:	Grainger	Lyons	Pennington
Agee	Haygood	McDonald	Perloff
Berryman (W)	Hill	McLain	Springer
Blanton	Holladay	Meeks	Turnham
Brannan	Holman	Nettles	Waggoner
Cook (Jefferson)	House	Neville	Watkins
Downing	Jackson (T)	Owen (Baldwin)	Wood
Gafford	Jones	Paulk	Wright
Gloor			

—32

MOTION TO ADJOURN LOST

The motion of Mr. Crane that the House adjourn until two o'clock P. M. Tuesday, August 19, 1969, was lost.

Yeas 33; Nays 56.

Yeas:

Mr. Speaker	Foshee	Marr	Neville
Beck	Gafford	Mathews	Owens (W.E.)
Berryman (W)	Harper	Mays	Paulk
Brassell	Headley	McCorquodale	Pearson
Collins (W)	Holladay	McDonald	Perloff
Dill	Kilgore	Meade	Steagall
Dobbs	Laxson	Melton	Weeks
Downing	Lemley	Merrill	Wood
Fine			

—33

Nays:

Messrs.:	Edington	House	Pruitt
Adwell	Ellis	Jackson (F)	Robertson
Agee	Garrett	Jackson (T)	Sessions
Bank	Graham	Jones	Smith
Bassett	Grainger	Lybrand	Springer
Blanton	Grayson	Malone	Stembridge
Bowers	Hain	Manley	Stubbs
Brannan	Hardin	McLain	Tuck
Brown	Harris	Meeks	Turnham
Cameron	Haygood	Money	Waggoner
Cook (Coffee)	Higginbotham	Nettles	Watkins
Cook (Jefferson)	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver	Holman	Pennington	Young
Drake			

—56

Mr. Crane moved that the bill, H. 1327, be carried over to the thirty-second legislative day.

On motion of Mr. Hobbie, the motion of Mr. Crane to carry over was tabled.

Yeas 45; Nays 44.

Yeas:

Mr. Speaker	Brown	Drake	Grayson
Bassett	Cameron	Edington	Hain
Beck	Collins (W)	Fine	Hardin
Berryman (W)	Culver	Foshee	Harper
Blanton	Downing	Graham	Harris

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Higginbotham	McElhaney	Owens (W.E.)	Steagall
Hobbie	Meade	Paulk	Stubbs
Jackson (F)	Melton	Pearson	Weeks
Lemley	Merrill	Pruitt	Williams
Manley	Neville	Springer	Yeilding
Marr	Owens (W)	Starnes	Young
McDonald			

—45

Nays:

Messrs.:	Gafford	Kilgore	Pennington
Adwell	Garrett	Laxson	Perloff
Agee	Gloor	Lybrand	Robertson
Bank	Grainger	Lyons	Sessions
Bowers	Haygood	Malone	Stembridge
Collier	Headley	Mathews	Tuck
Cook (Jefferson)	Hill	McCorquodale	Turnham
Crane	Holman	McLain	Waggoner
Crawford	House	Meeks	Watkins
Dill	Jackson (T)	Money	Wood
Dobbs	Jones	Nettles	Wright
Ellis			

—44

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until two o'clock P. M. Tuesday, August 19, 1969, was lost.

Yeas 29; Nays 55.

Yeas:

Mr. Speaker	Dobbs	Marr	Neville
Bank	Downing	Mathews	Paulk
Beck	Fine	Mays	Pearson
Berryman (W)	Hain	McDonald	Perloff
Brassell	Harper	Meade	Steagall
Collins (W)	Holladay	Melton	Weeks
Crane	Kilgore	Merrill	Wood
Dill	Lemley		

—29

Nays:

Messrs.:	Drake	Holman	Owens (W)
Adwell	Edington	House	Pennington
Agee	Ellis	Jackson (F)	Pruitt
Bassett	Foshee	Jackson (T)	Robertson
Blanton	Garrett	Jones	Sessions
Bolton	Graham	Lybrand	Smith
Bowers	Grainger	Malone	Springer
Brannan	Grayson	Manley	Stembridge
Brown	Hardin	McElhaney	Stubbs
Cameron	Harris	McLain	Turnham
Cook (Coffee)	Headley	Meeks	Watkins
Cook (Jefferson)	Higginbotham	Money	Wright
Crawford	Hill	Nettles	Yeilding
Culver	Hobbie	Owen (Baldwin)	Young

—55

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until two o'clock P. M. Tuesday, August 19, 1969, was lost.

Yeas 32; Nays 53.

Yeas:

Mr. Speaker	Downing	Lemley	Neville
Bank	Fine	Marr	Owens (W.E.)
Beck	Gafford	Mathews	Paulk
Berryman (W)	Grayson	Mays	Pearson
Brannan	Hardin	McDonald	Perloff
Brassell	Harper	Meade	Steagall
Collins (W)	Headley	Melton	Weeks
Dobbs	Holladay	Merrill	Wood

—32

Nays:

Messrs.:	Dill	House	Pruitt
Adwell	Drake	Jackson (F)	Robertson
Agee	Edington	Jackson (T)	Sessions
Bassett	Ellis	Jones	Smith
Blanton	Foshee	Lybrand	Springer
Brown	Garrett	McCorquodale	Stembridge
Burgess	Graham	McElhaney	Stubbs
Cameron	Grainger	McLain	Tuck
Collins (C)	Hain	Meeks	Waggoner
Cook (Coffee)	Harris	Money	Watkins
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crane	Hill	Owens (W)	Yeilding
Crawford	Hobbie	Pennington	Young
Culver	Holman		

—53

Mr. Watkins moved that the bill, H. 1327, be carried over to the thirty-third legislative day.

The motion of Mr. Hobbie to table the motion of Mr. Watkins to carry over was lost.

Yeas 36; Nays 53.

Yeas:

Mr. Speaker	Drake	Harris	Owens (W)
Bassett	Edington	Headley	Smith
Beck	Fine	Hobbie	Springer
Berryman (W)	Foshee	Kilgore	Starnes
Bolton	Garrett	McDonald	Steagall
Brannan	Graham	McElhaney	Stubbs
Cameron	Grayson	Meade	Weeks
Cook (Coffee)	Hain	Neville	Williams
Downing	Hardin	Owen (Baldwin)	Yeilding

—36

Nays:

Messrs.:	Dill	Lemley	Paulk
Adwell	Ellis	Lybrand	Pearson
Agee	Gloor	Lyons	Pennington
Bank	Grainger	Malone	Perloff
Blanton	Haygood	Mathews	Sessions
Bowers	Higginbotham	Mays	Stembridge
Brassell	Hill	McCorquodale	Tuck
Brown	Holladay	McLain	Turnham
Collier	Holman	Meeks	Waggoner
Collins (C)	House	Melton	Watkins
Cook (Jefferson)	Jackson (F)	Money	Wood
Crane	Jackson (T)	Nettles	Wright
Crawford	Jones	Owens (W.E.)	Young
Culver	Laxson		

—53

The question, then, was on the motion of Mr. Watkins that the bill, H. 1327, be carried over to the thirty-third legislative day.

And the motion was adopted.

Yeas 50; Nays 40.

Yeas:

Messrs.:	Ellis	Lemley	Pennington
Adwell	Gloor	Lybrand	Perloff
Agee	Grainger	Lyons	Pruitt
Bank	Hardin	Malone	Sessions
Blanton	Haygood	Mathews	Stembridge
Brassell	Higginbotham	Mays	Tuck
Brown	Hill	McCorquodale	Turnham
Collier	Holladay	McLain	Waggoner
Collins (C)	Holman	Meeks	Watkins
Cook (Jefferson)	House	Money	Wood
Crane	Jones	Nettles	Wright
Crawford	Kilgore	Paulk	Young
Dill	Laxson	Pearson	

—50

Nays:

Mr. Speaker	Downing	Headley	Neville
Bassett	Drake	Hobbie	Owen (Baldwin)
Beck	Edington	Jackson (F)	Owens (W)
Berryman (W)	Fine	Jackson (T)	Smith
Bolton	Foshee	Manley	Springer
Bowers	Garrett	Marr	Starnes
Brannan	Graham	McDonald	Steagall
Cameron	Grayson	McElhaney	Weeks
Collins (W)	Hain	Meade	Williams
Cook (Coffee)	Harris	Melton	Yeilding

—40

MOTION TO BRING UP H. 1171 LOST

The motion of Mr. Lyons to suspend the rules and bring up out of order the bill, H. 1171, was lost.

Yeas 49; Nays 28.

Yeas:

Mr. Speaker	Dill	Headley	Melton
Bank	Dobbs	Higginbotham	Nettles
Beck	Edington	Hill	Owen (Baldwin)
Blanton	Ellis	Hobbie	Owens (W.E.)
Bolton	Fine	House	Paulk
Brannan	Garrett	Lemley	Pearson
Brassell	Gloor	Lyons	Smith
Cameron	Graham	Marr	Starnes
Collier	Grainger	Mays	Steagall
Collins (W)	Grayson	McCorquodale	Williams
Cook (Coffee)	Harper	McElhaney	Yeilding
Cook (Jefferson)	Haygood	McLain	Young
Culver			

—49

Nays:

Messrs.:	Hardin	Malone	Sessions
Agee	Harris	Manley	Springer
Bassett	Holman	Meeks	Tuck
Collins (C)	Jackson (F)	Merrill	Turnham
Crawford	Jackson (T)	Pennington	Watkins
Downing	Kilgore	Perloff	Weeks
Foshee	Laxson	Pruitt	Wright
Hain			

—28

And the bill:

H. 151. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 3.

Yeas:

Mr. Speaker	Fine	Lemley	Pennington
Agee	Foshee	Lybrand	Perloff
Bassett	Grainger	Marr	Pruitt
Beck	Hain	Mays	Sessions
Berryman (W)	Hardin	McCorquodale	Snell
Blanton	Harper	McDonald	Springer
Bowers	Harris	McElhaney	Starnes
Brannan	Haygood	McLain	Steagall
Brassell	Headley	Meade	Stubbs
Cameron	Higginbotham	Melton	Tuck
Collins (W)	Hill	Merrill	Turnham
Cook (Coffee)	Hobbie	Nettles	Weeks
Crawford	Holman	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Dill	Jackson (F)	Owens (W.E.)	Wright
Downing	Kilgore	Paulk	Young

—64

Nays: Messrs. Garrett, Jackson (T) and Smith

—3

MOTION TO ADJOURN LOST

The motion of Mr. Lyons that the House adjourn until two o'clock P. M. Tuesday, August 19, 1969, was lost.

Yeas 33; Nays 45.

Yeas:

Mr. Speaker	Fine	Lyons	Owens (W.E.)
Beck	Grayson	Marr	Paulk
Berryman (W)	Harper	Mays	Pearson
Brannan	Haygood	McCorquodale	Perloff
Brassell	Headley	McDonald	Snell
Collins (W)	Kilgore	Melton	Steagall
Crane	Laxson	Merrill	Weeks
Dill	Lemley	Neville	Wood
Downing			

—33

Nays:

Messrs.:	Foshee	Jackson (F)	Robertson
Agee	Garrett	Jackson (T)	Sessions
Bassett	Graham	Jones	Smith
Blanton	Grainger	Lybrand	Springer
Bowers	Hain	Manley	Stubbs
Cameron	Hardin	McElhaney	Tuck
Collins (C)	Harris	McLain	Turnham
Cook (Coffee)	Higginbotham	Meeks	Waggoner
Cook (Jefferson)	Hill	Nettles	Watkins
Crawford	Hobbie	Pennington	Wright
Culver	Holman	Pruitt	Young
Ellis	House		

—45

And the bill:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950-51, v. 1, p. 585).

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Garrett	Laxson	Perloff
Agee	Gloor	Lemley	Pruitt
Beck	Graham	Lyons	Robertson
Berryman (W)	Grainger	Manley	Smith
Bowers	Grayson	Mays	Snell
Brannan	Hain	McCorquodale	Springer
Brassell	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Steagall
Collier	Harris	Meade	Stembridge
Collins (C)	Haygood	Meeks	Stubbs
Collins (W)	Headley	Merrill	Tuck
Cook (Coffee)	Higginbotham	Money	Turnham
Cook (Jefferson)	Hill	Nettles	Weeks
Crawford	Hobbie	Neville	Williams
Culver	Holman	Owen (Baldwin)	Wood
Dobbs	House	Owens (W.E.)	Wright
Downing	Jackson (F)	Paulk	Yeilding
Ellis	Jackson (T)	Pearson	Young
Fine	Kilgore	Pennington	

—75

MOTION TO BRING UP H. 356 LOST

The motion of Mr. Lybrand to suspend the rules and bring up out of order the bill, H. 356, was lost.

Yeas 49; Nays 33.

Yeas:

Messrs.:	Cameron	Drake	Harper
Beck	Collier	Edington	Haygood
Berryman (W)	Collins (W)	Fine	Higginbotham
Bowers	Cook (Coffee)	Graham	Hill
Brannan	Cook (Jefferson)	Grainger	Hobbie
Brassell	Culver	Grayson	Holman

Lybrand	Melton	Sessions	Stubbs
Malone	Nettles	Smith	Turnham
Mays	Owen (Baldwin)	Snell	Waggoner
McCorquodale	Owens (W.E.)	Springer	Williams
McDonald	Pearson	Steagall	Wood
McElhaney	Perloff	Stembridge	Yeilding
Meeks	Robertson		

—49

Nays:

Mr. Speaker	Foshee	Jones	Paulk
Agee	Garrett	Kilgore	Pennington
Bassett	Gloor	Laxson	Pruitt
Brown	Hain	Lemley	Starnes
Burgess	Hardin	Manley	Tuck
Crawford	Harris	McLain	Watkins
Dill	Headley	Meade	Weeks
Downing	Jackson (F)	Merrill	Wright
Ellis			

—33

And the bill:

H. 1063. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pearson
Agee	Fine	Lemley	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Bowers	Graham	Marr	Sessions
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Steagall
Cameron	Harper	McElhaney	Stembridge
Collier	Harris	Meade	Stubbs
Collins (W)	Haygood	Meeks	Tuck
Cook (Coffee)	Headley	Melton	Turnham
Crawford	Higginbotham	Merrill	Waggoner
Culver	Hill	Money	Weeks
Dill	Hobbie	Nettles	Williams
Dobbs	Holladay	Owen (Baldwin)	Wood
Downing	Holman	Owens (W.E.)	Wright
Drake	Jackson (F)	Paulk	Young
Edington	Jackson (T)		

—82

MOTION TO INTRODUCE RESOLUTION

On motion of Mr. Blanton, the rules were suspended and permission granted to introduce a resolution.

Yeas 75; Nays 4.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owens (W.E.)
Agee	Ellis	Jones	Paulk
Bank	Fine	Laxson	Pennington
Bassett	Garrett	Lybrand	Perloff
Beck	Gloor	Lyons	Pruitt
Berryman (W)	Graham	Manley	Robertson
Brannan	Grainger	Mathews	Sessions
Brassell	Grayson	Mays	Smith
Brown	Hain	McCorquodale	Snell
Burgess	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Steagall
Collier	Harris	McLain	Stembridge
Cook (Coffee)	Higginbotham	Meade	Stubbs
Cook (Jefferson)	Hill	Meeks	Waggoner
Culver	Hobbie	Melton	Watkins
Dill	Holladay	Money	Weeks
Dobbs	Holman	Nettles	Wood
Downing	House	Neville	Yeilding
Drake	Jackson (F)	Owen (Baldwin)	—75

Nays:

Messrs.:	Lemley	Tuck	Wright
Crawford			—4

RESOLUTION

The following resolution was introduced:

By Mr. Blanton:

H. J. R. 124. WHEREAS upon many of our four-lane state highways, there is no sign or notice posted to warn slow moving traffic to keep to the right lane; and

WHEREAS without such a notice or regulation requiring slow moving vehicles to exercise caution in this manner the danger of accidents and traffic bottlenecks are greatly increased; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we urge the state highway department to promulgate the necessary regulation, if needed, and post signs or notices requiring slow moving traffic to keep to the right lane.

On motion of Mr. Blanton, H. J. R. 124 was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collier	Ellis	Harris
Agee	Collins (W)	Fine	Haygood
Bassett	Cook (Coffee)	Foshee	Hill
Beck	Cook (Jefferson)	Garrett	Hobbie
Berryman (W)	Crawford	Gloor	Holladay
Bowers	Culver	Graham	Holman
Brannan	Dill	Grainger	House
Brassell	Dobbs	Grayson	Jackson (F)
Brown	Downing	Hain	Jackson (T)
Burgess	Drake	Hardin	Jones
Cameron	Edington	Harper	Kilgore

Laxson	McLain	Paulk	Steagall
Lemley	Meade	Pearson	Stembridge
Lybrand	Meeks	Pennington	Stubbs
Lyons	Melton	Perloff	Tuck
Malone	Merrill	Pruitt	Waggoner
Manley	Money	Robertson	Weeks
Marr	Nettles	Sessions	Williams
Mathews	Neville	Smith	Wood
Mays	Owen (Baldwin)	Snell	Wright
McDonald	Owens (W.E.)	Starnes	Yeilding
McElhaney			

—85

MOTION TO BRING UP S. 129 LOST

The motion of Mr. McLain to suspend the rules and bring up out of order the bill, S. 129, was lost.

Yeas 45; Nays 38.

Yeas:

Messrs.:	Dill	Laxson	Pruitt
Agee	Dobbs	Lybrand	Robertson
Bank	Edington	Mathews	Snell
Beck	Gloor	McCorquodale	Springer
Brannan	Grainger	McDonald	Starnes
Brassell	Grayson	McElhaney	Steagall
Cameron	Higginbotham	McLain	Stubbs
Collins (C)	Hill	Melton	Watkins
Cook (Coffee)	Hobbie	Pearson	Williams
Cook (Jefferson)	Holladay	Pennington	Wood
Crane	House	Perloff	Yeilding
Culver	Jones		

—45

Nays:

Mr. Speaker	Drake	Haygood	Meade
Adwell	Ellis	Holman	Meeks
Bassett	Fine	Jackson (F)	Merrill
Berryman (W)	Foshee	Jackson (T)	Neville
Bowers	Gafford	Kilgore	Owen (Baldwin)
Brown	Garrett	Lemley	Owens (W)
Burgess	Hain	Lyons	Paulk
Collier	Hardin	Malone	Tuck
Crawford	Harper	Manley	Wright
Downing	Harris		

—38

And the bill:

H. 309. To further amend Section 18 of Title 61 of the 1958 Re-compiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 4.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Cook (Jefferson)
Agee	Blanton	Cameron	Crawford
Bassett	Bowers	Collier	Culver
Beck	Brannan	Cook (Coffee)	Dill

REGULAR SESSION

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Dobbs	Hill	McCorquodale	Pearson
Downing	Hobbie	McDonald	Pennington
Edington	Holladay	McElhaney	Perloff
Ellis	Holman	Meade	Sessions
Fine	Jackson (F)	Meeks	Smith
Foshee	Kilgore	Melton	Snell
Gloor	Laxson	Merrill	Starnes
Graham	Lemley	Money	Steagall
Grayson	Lybrand	Nettles	Stembridge
Hain	Lyons	Neville	Stubbs
Hardin	Malone	Owen (Baldwin)	Tuck
Harper	Manley	Owens (W)	Waggoner
Harris	Marr	Owens (W.E.)	Williams
Haygood	Mays	Paulk	Wood
Higginbotham			

—73

Nays:

Messrs.: Brown	Garrett	Jackson (T)	Wright
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—4

MOTION TO ADJOURN LOST

The motion of Mr. Lemley that the House adjourn until two o'clock Tuesday, August 19, 1969, was lost.

Yeas 29; Nays 56.

Yeas:

Mr. Speaker	Crane	Lemley	Neville
Agee	Dill	Lyons	Owens (W.E.)
Beck	Dobbs	Mathews	Paulk
Berryman (W)	Fine	Mays	Pearson
Brannan	Grayson	McDonald	Snell
Brassell	Harper	Melton	Steagall
Burgess	Laxson	Merrill	Wood
Collins (W)			

—29

Nays:

Messrs.:	Ellis	Jackson (F)	Owens (W)
Adwell	Foshee	Jackson (T)	Pennington
Bank	Garrett	Jones	Perloff
Bassett	Graham	Kilgore	Pruitt
Blanton	Grainger	Lybrand	Robertson
Bowers	Hain	Manley	Sessions
Brown	Hardin	Marr	Smith
Cameron	Harris	McCorquodale	Springer
Collier	Headley	McElhaney	Stembridge
Cook (Coffee)	Higginbotham	McLain	Stubbs
Cook (Jefferson)	Hill	Meade	Tuck
Crawford	Hobbie	Meeks	Waggoner
Culver	Holman	Money	Watkins
Downing	House	Nettles	Wright
Edington			

—56

And the bill:

H. 1313. To provide that for the conviction of persons who willfully allow or causes pain or injury to a child and to provide the punishment for such crime.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Owen (Baldwin)
Agee	Fine	Jackson (T)	Owens (W.E.)
Beck	Foshee	Jones	Paulk
Berryman (W)	Gafford	Laxson	Pearson
Blanton	Garrett	Lemley	Pennington
Bowers	Gloor	Lybrand	Perloff
Brassell	Graham	Lyons	Pruitt
Brown	Grainger	Manley	Robertson
Burgess	Grayson	Marr	Sessions
Cameron	Hain	Mathews	Snell
Collier	Hardin	Mays	Starnes
Collins (W)	Harper	McCorquodale	Steagall
Cook (Jefferson)	Harris	McDonald	Stembridge
Crawford	Haygood	McElhaney	Stubbs
Culver	Higginbotham	Meade	Tuck
Dill	Hill	Meeks	Waggoner
Dobbs	Hobbie	Melton	Williams
Downing	Holladay	Merrill	Wood
Drake	Holman	Money	Wright
Edington	House	Nettles	Yeilding

—80

And the bill:

H. 1172. To amend further Section 1 of Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this state as to doing business herein shall be deemed to have appointed the secretary of state, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served," so as to provide further for the service of process upon non-residents doing business in this state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owens (W)
Agee	Edington	Jackson (F)	Owens (W.E.)
Bassett	Ellis	Jackson (T)	Paulk
Beck	Foshee	Lybrand	Pearson
Berryman (W)	Gafford	Lyons	Pennington
Blanton	Garrett	Malone	Perloff
Bowers	Gloor	Marr	Pruitt
Brannan	Graham	Mathews	Robertson
Brassell	Grainger	Mays	Sessions
Brown	Grayson	McCorquodale	Snell
Burgess	Hain	McElhaney	Starnes
Cameron	Hardin	Meade	Steagall
Collins (W)	Harris	Meeks	Stembridge
Cook (Jefferson)	Haygood	Melton	Stubbs
Crawford	Higginbotham	Money	Williams
Culver	Hobbie	Nettles	Wood
Dill	Holladay	Neville	Wright
Downing	Holman	Owen (Baldwin)	

—71

And the bill:

H. 1072. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owens (W.E.)
Adwell	Ellis	Kilgore	Paulk
Agee	Foshee	Laxson	Pearson
Beck	Gafford	Lemley	Pennington
Berryman (W)	Garrett	Lybrand	Perloff
Blanton	Gloor	Lyons	Pruitt
Bowers	Graham	Malone	Robertson
Brannan	Grainger	Manley	Sessions
Brassell	Grayson	Marr	Snell
Burgess	Hain	Mathews	Starnes
Cameron	Hardin	Mays	Stembridge
Collier	Harris	McCorquodale	Stubbs
Collins (W)	Haygood	Meade	Tuck
Cook (Jefferson)	Hill	Meeks	Waggoner
Crane	Hobbie	Melton	Williams
Crawford	Holladay	Money	Wood
Culver	Holman	Neville	Wright
Dill	House	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Drake			

—77

And the bill:

H. 84. To appropriate funds for the construction of a weather shelter for the guard-watchman at the Jessie Speight Mall and adjacent state owned parking areas.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Burgess	Fine	Hill
Adwell	Cameron	Foshee	Hobbie
Agee	Collier	Gafford	Holladay
Bassett	Collins (W)	Graham	Holman
Beck	Cook (Jefferson)	Grainger	House
Berryman (W)	Crawford	Grayson	Jackson (F)
Blanton	Culver	Hain	Jackson (T)
Bowers	Dill	Hardin	Kilgore
Brannan	Downing	Harris	Laxson
Brassell	Drake	Haygood	Lemley
Brown	Edington	Higginbotham	Lybrand

Lyons	Meeks	Pennington	Stembridge
Malone	Melton	Perloff	Stubbs
Manley	Money	Pruitt	Tuck
Marr	Nettles	Robertson	Waggoner
Mathews	Neville	Smith	Watkins
Mays	Owen (Baldwin)	Snell	Williams
McCorquodale	Owens (W)	Starnes	Wood
McElhanev	Owens (W.E.)	Steagall	Young
Meade	Pearson		
—78			
<i>Nays:</i>	Messrs. Garrett and Wright		—2

MOTION TO BRING UP H. 1188

The motion of Mr. Robertson to suspend the rules and bring up out of order the bill, H. 1188, was lost.

Yeas 45; Nays 36.

Yeas:

Mr. Speaker	Cook (Jefferson)	Grayson	Money
Adwell	Culver	Headley	Neville
Agee	Dill	Holman	Owens (W.E.)
Bank	Drake	House	Pearson
Berryman (W)	Edington	Kilgore	Robertson
Bowers	Ellis	Lemley	Steagall
Brannan	Fine	Lybrand	Stubbs
Brassell	Foshee	Mays	Watkins
Brown	Garrett	McCorquodale	Williams
Burgess	Gloor	McLain	Wood
Cameron	Grainger	Melton	Young
Collier			
—45			

Nays:

Messrs.:	Harris	Malone	Pruitt
Bassett	Higginbotham	Manley	Sessions
Blanton	Hill	McElhanev	Smith
Collins (C)	Holladay	Meade	Snell
Crawford	Jackson (F)	Meeks	Springer
Downing	Jackson (T)	Nettles	Stembridge
Gafford	Jones	Owens (W)	Tuck
Graham	Laxson	Pennington	Wright
Hain	Lyons	Perloff	Yeilding
Hardin			
—36			

And the bill:

H. 377. Relating to blind and otherwise handicapped persons; to declare the policy of the State relative to such persons; to declare, define and safeguard certain rights, possessed by such persons, to prescribe penalties for denying or interfering with the enjoyment of such rights; and to place certain duties relative to such persons on drivers of motor vehicles, and on operators of common carriers, public accommodations and other places to which the public generally is invited; and to provide for proclaiming October 15 each year as "White Cane Day."

Was taken up.

UNANIMOUS CONSENT TO CO-SPONSOR

At the request of Mr. Smith, unanimous consent was granted for him to be added as co-sponsor to the bill, H. 377.

And the bill:

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Paulk
Adwell	Fine	Jackson (T)	Pearson
Agee	Foshee	Laxson	Pennington
Bank	Gafford	Lemley	Perloff
Bassett	Garrett	Lyons	Pruitt
Beck	Gloor	Malone	Robertson
Berryman (W)	Graham	Manley	Sessions
Blanton	Grainger	Marr	Smith
Brannan	Grayson	Mathews	Springer
Brassell	Hain	Mays	Steagall
Cameron	Hardin	McCorquodale	Stembridge
Collier	Harris	McElhaney	Tuck
Collins (W)	Haygood	Meeks	Watkins
Cook (Jefferson)	Higginbotham	Melton	Williams
Crawford	Hill	Money	Wood
Culver	Hobbie	Nettles	Wright
Dill	Holladay	Neville	Yeilding
Downing	Holman	Owen (Baldwin)	Young
Edington	House	Owens (W.E.)	

—75

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until two o'clock P. M. Tuesday, August 19, 1969, was lost.

Yeas 35; Nays 49.

Yeas:

Mr. Speaker	Fine	Marr	Paulk
Agee	Gloor	Mathews	Pearson
Brannan	Grayson	Mays	Perloff
Brassell	Harper	McDonald	Robertson
Collier	Holladay	Meade	Steagall
Collins (W)	Kilgore	Melton	Weeks
Crane	Laxson	Neville	Wood
Crawford	Lemley	Owen (Baldwin)	Young
Dill	Lyons	Owens (W.E.)	

—35

Nays:

Messrs.:	Edington	House	Pennington
Adwell	Ellis	Jackson (F)	Pruitt
Bank	Foshee	Jackson (T)	Sessions
Bassett	Gafford	Jones	Smith
Blanton	Garrett	Lybrand	Springer
Bolton	Grainger	Manley	Stembridge
Brown	Hain	McElhaney	Stubbs
Cameron	Hardin	McLain	Tuck
Collins (C)	Harris	Merrill	Turnham
Cook (Jefferson)	Higginbotham	Money	Waggoner
Culver	Hill	Nettles	Watkins
Downing	Hobbie	Owens (W)	Wright
Drake	Holman		

—49

And the bill:

H. 632. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 4.

Yeas:

Mr. Speaker	Dill	Holman	Owens (W)
Adwell	Downing	Jackson (F)	Owens (W.E.)
Agee	Drake	Jones	Paulk
Bank	Edington	Lybrand	Pearson
Bassett	Ellis	Malone	Pennington
Beck	Fine	Manley	Perloff
Berryman (W)	Foshee	Marr	Pruitt
Bolton	Garrett	Mathews	Sessions
Brannan	Gloor	Mays	Springer
Brassell	Graham	McCorquodale	Starnes
Brown	Grayson	McDonald	Stembridge
Burgess	Hain	McElhaney	Stubbs
Cameron	Hardin	Meade	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Higginbotham	Money	Wood
Crawford	Hill	Neville	Yeilding
Culver	Hobbie	Owen (Baldwin)	

—71

Nays:

Messrs.:	Gafford	Jackson (T)	Nettles
Blanton			

—4

MOTION TO BRING UP H. 1222 LOST

The motion of Mr. Jones to suspend the rules and bring up out of order the bill, H. 1222, was lost.

Yeas 44; Nays 37.

Yeas:

Messrs.:	Cook (Coffee)	Haygood	Meade
Agee	Cook (Jefferson)	Higginbotham	Melton
Bank	Culver	Hill	Neville
Beck	Dill	Laxson	Owens (W.E.)
Berryman (W)	Dobbs	Lybrand	Perloff
Bolton	Drake	Malone	Smith
Brannan	Edington	Marr	Starnes
Brassell	Foshee	Mays	Stubbs
Brown	Graham	McDonald	Watkins
Cameron	Grainger	McElhaney	Weeks
Collier	Grayson	McLain	Wood
Collins (W)			

—44

Nays:

Mr. Speaker	Gloor	Lemley	Pruitt
Adwell	Hain	Lyons	Robertson
Bassett	Hardin	Manley	Sessions
Blanton	Harris	Merrill	Stembridge
Crawford	Hobbie	Money	Tuck
Downing	Holman	Nettles	Turnham
Ellis	Jackson (F)	Owen (Baldwin)	Wright
Fine	Jackson (T)	Owens (W)	Yeilding
Gafford	Jones	Pearson	Young
Garrett			

—37

MOTION TO ADJOURN LOST

The motion of Mr. Crane that the House adjourn until 1:30 P. M. o'clock Tuesday, August 19, 1969, was lost.

Yeas 38; Nays 51.

Yeas:

Mr. Speaker	Crane	Laxson	Neville
Adwell	Crawford	Lemley	Owen (Baldwin)
Agee	Dill	Lyons	Owens (W.E.)
Berryman (W)	Fine	Marr	Paulk
Bolton	Gloor	Mathews	Pearson
Brannan	Grayson	Mays	Steagall
Brassell	Harper	McDonald	Weeks
Burgess	Harris	Melton	Wood
Collier	Haygood	Merrill	Young
Collins (W)	Holladay		

—38

Nays:

Messrs.:	Ellis	Jackson (F)	Perloff
Bank	Foshee	Jackson (T)	Pruitt
Bassett	Gafford	Jones	Robertson
Blanton	Garrett	Lybrand	Sessions
Brown	Graham	Manley	Smith
Cameron	Grainger	McCorquodale	Stembridge
Collins (C)	Hain	McElhaney	Stubbs
Cook (Coffee)	Hardin	McLain	Tuck
Cook (Jefferson)	Higginbotham	Meade	Turnham
Culver	Hill	Money	Waggoner
Downing	Hobbie	Nettles	Watkins
Drake	Holman	Owens (W)	Wright
Edington	House	Pennington	Yeilding

—51

And the bill:

H. 517 (with substitute). To amend Code of Alabama 1940, Title 22, Section 42, further regulating the Bureau of Vital Statistics in the State Health Department; increasing the fees for record and statistical services and appropriating fee receipts for operation of the Vital Statistics System.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 22, Section 20, 37 and 42; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 22, Section 20, is amended to read as follows:

"Section 20. State registrar of vital statistics; appointment; duties; compensation; assistants. There shall be a bureau of vital statistics in the state health department. The state registrar of vital statistics, hereinafter to be known as the state registrar, shall be the executive officer of the bureau of vital statistics. He shall, under the general supervision of the state committee of public health, direct operations of such bureau. He is hereby specifically charged with the duty of supervising, coordinating and directing the statewide system of registering, reporting and recording vital statistics as defined in this chapter; and he is particularly charged with the duty of strictly and thoroughly enforcing all provisions of this chapter relating to the vital statistics system. He shall appoint a local registrar of vital statistics in each registration district, and such deputy registrars as may be necessary. The state registrar shall be appointed by the state board of health subject to provisions of the state merit system law, except that the state health officer shall, under the direction of the state board of health and with approval of the state personnel board, fix and adjust the salary of the state registrar in an amount not less than sixty per cent of the salary of the state health officer. Before entering upon the duties of his office the state registrar shall take and subscribe to the constitutional oath of office which shall be filed in the office of the secretary of state. The state board of health shall provide for the bureau of vital statistics adequate office facilities, personnel and supplies for efficient performance of duties and for permanent and safe preservation of all official records made and returned under any and all laws providing for the vital statistics system."

Section 2. Code of Alabama 1940, Title 22, Section 37, is amended to read as follows:

"Section 37. Official certificate forms; additional information and corrections prescribed. The state registrar shall, prepare and supply all printed forms used in registering, recording and preserving the vital statistics and in otherwise carrying out the purpose of this act, and no printed forms shall be used for this purpose except those supplied by the state registrar. All births (including adoptions and legitimations), marriages, divorces, deaths and fetal deaths shall be recorded upon certificate forms designed to include the following information without restricting its use for official certifications. The birth certificate form shall provide for the name of the child, date of birth, place of birth, sex of child, names and race of the mother and legal father. The marriage certificate form shall provide for the names of the bride and groom, the race of each, any blood relationship and number of times married, place of license issue, place of marriage and signature of the officiant. The divorce certificate form shall provide for the names of the husband and wife, the race of each, usual place of residence, trial docket number, date of final decree, certificate of the court official and identification of the court. The death certificate form shall provide

for the decedent's name, sex, race, age, marital status, and date and place of death, cause-of-death certificate, name of funeral director and place of burial. The fetal death certificate form shall provide for the date and place of delivery, names and race of mother and legal father, cause certificate, place and date of disposal. When the state registrar has need of additional information to make any of said certificates complete and satisfactory, all physicians, midwives, informants, morticians and all other persons having knowledge of the facts, shall supply on request of the state registrar, upon a form provided by him, or upon the original certificate form, such information as they may possess. After the said certificates are received and filed as permanent records in custody of the state registrar, any person who shall wilfully alter any such certificate, or entries thereon, or the copy of any of these records, or who shall destroy, remove or make substitutions for any such record, except through due process of the state law that authorizes such alterations and changes shall be deemed guilty of violation of section 103 of this title. The addition of the name of the child, where a certificate of birth is reported prior to the naming of the child, does not constitute an alteration. Where it is found that an error of fact was made in the entry of personal particulars on any record filed with the state registrar, an affidavit for correction of the record shall be filed with the state registrar in such form as he may prescribe. Such instrument in writing shall be attached to and made a part of the record concerned. The probative value of any appended correction to an original certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence."

Section 3. Code of Alabama 1940, Title 22, Section 42, is amended to read as follows:

"Section 42. Certifications and searches of vital records; fees to vital statistics fund. The state registrar of vital statistics shall, upon request of any person having a proper interest therein, make a thorough search and supply a certified copy or authentication, under seal of his office, of any record registered and in his custody under provisions of this Chapter. A report of a search, a copy, or extract made from any record registered under these provisions, when authenticated by the state registrar, shall be prima facie evidence of the facts therein stated. Provided that records of birth and death shall not be disclosed except as authorized by the state board of health.

The state registrar, as agent for the state board of health, shall be entitled to fees as follows:

A. The fee shall be two dollars (\$2.00) for making any search of the records and reporting the findings, or for making one certified copy of the record, if found. Provided, that the fee shall be one dollar (\$1.00) each for additional copies of the same record ordered at the same time.

B. The fee shall be five dollars (\$5.00) each for issuing an authenticated or exemplified copy, said amount to include certification fee of the Secretary of State.

C. The fee shall be three dollars (\$3.00) for each hour or fraction thereof required to complete a presumptive or special search and make a report of findings. Provided, that the state registrar may, at his discretion, decline to make any such search.

D. Any expense and cost incurred for furnishing vital statistics and tabulations shall be repaid in the same manner as other fees for services specified herein.

Applications for searches, copies, authentications and reports shall be accompanied by the prescribed fee. Provided, that payments for

special or presumptive searches, reports and contract services may be postponed until the amount to be paid is determined. No fee received under these provisions shall be refunded.

The state registrar, as agent for the state board of health, shall cause a complete and correct account to be kept of all monies received under these provisions and shall cause said sums to be deposited with the state treasurer who shall keep said deposits in a special account to be known as the vital statistics fund.

The county health officer of any county that employs a full-time local registrar of vital statistics, compensated by salary, may, upon request, issue a copy or extract from any original certificate of birth or death while said certificate is in his custody, and may collect a fee of one dollar (\$1.00) for each such copy or extract issued; provided, that the county health officer shall cause a complete and correct account to be kept of all fees received by him under these provisions, and shall remit said fees to the treasurer of his county board of health, or like official, for custody subject to disbursement in the interest of health services in his county."

Section 4. This Act is intended to relate entirely to the operation and regulation of the Alabama vital statistics system and is not intended to have effect on any other laws or parts of laws except to the extent in conflict with the positive provisions hereof.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

COMMITTEE SUBSTITUTE TABLED

On motion of Mr. Pennington, the substitute reported by the Standing Committee on Ways and Means was tabled.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Fine	Lyons	Pennington
Agee	Foshee	Malone	Perloff
Bank	Garrett	Manley	Pruitt
Bassett	Gloor	Marr	Sessions
Beck	Graham	Mathews	Smith
Berryman (W)	Grainger	Mays	Springer
Blanton	Grayson	McCorquodale	Starnes
Brannan	Hain	McDonald	Stubbs
Brassell	Hardin	McElhanev	Tuck
Brown	Harper	McLain	Turnham
Burgess	Haygood	Meade	Watkins
Collier	Headley	Melton	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Dill	Hill	Money	Wood
Downing	Holladay	Nettles	Wright
Drake	Jackson (F)	Owen (Baldwin)	Yelding
Edington	Lemley	Owens (W)	Young
Ellis	Lybrand	Pearson	

—71

Nay: Mr. Jones

—1

Mr. Pennington offered the following substitute to the bill, H. 517:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 22, Sections 37 and 42; Provision of blanks by the state registrar, issue of instructions, examination of certificates, and securing of additional information to complete the records, prescribed; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 22, Section 37, is amended to read as follows:

"Section 37. Official certificate forms; additional information and corrections prescribed. The state registrar shall under the supervision of the state board of health prepare and supply all printed forms used in registering, recording and preserving the vital statistics and in otherwise carrying out the purpose of this act, and no printed forms shall be used for this purpose except those supplied by the state registrar. All births (including adoptions and legitimations), marriages, divorces, deaths, and fetal deaths shall be recorded upon certificate forms designed to include the following information without restricting its use for official certifications. The birth certificate form shall provide for the name of the child, date of birth, place of birth, sex of child, names and race of the mother and legal father. The marriage certificate form shall provide for the names of the bride and groom, the race of each, any blood relationship and number of times married, place of license issue, place of marriage and signature of the officiant. The divorce certificate form shall provide for the names of the husband and wife, the race of each, usual place of residence, trial docket number, date of final decree, certificate of the court official and identification of the court. The death certificate form shall provide for the decedent's name, sex, race, age, marital status, and date and place of death, cause-of-death certificate, name of funeral director and place of burial. The fetal death certificate form shall provide for the date and place of delivery, names and race of mother and legal father, cause certificate, place and date of disposal. When the state registrar has need of additional information to make any of said certificates complete and satisfactory, all physicians, midwives, informants, morticians and all other persons having knowledge of the facts, shall supply on request of the state registrar, upon a form provided by him, or upon the original certificate form, such information as they may possess. After the said certificates are received and filed as permanent records in custody of the state registrar, any person who shall wilfully alter any such certificate, or entries thereon, or the copy of any of these records, or who shall destroy, remove or make substitutions for any such record, except through due process of the state law that authorizes such alterations and changes shall be deemed guilty of violation of sections 103 of this title. The addition of the name of the child, where a certificate of birth is reported prior to the naming of the child, does not constitute an alteration. Where it is found that an error of fact was made in the entry of personal particulars on any record filed with the state registrar, an affidavit for correction of the record shall be filed with the state registrar in such form as prescribed by the state board of health. Such instrument in writing shall be attached to and made a part of the record concerned. The probative value of any appended correction to an original certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence."

Section 1. Code of Alabama 1940, Title 22, Section 42, is amended to read as follows:

"Section 42. Certifications and searches of vital records; fees to State Board of Health. The state registrar of vital statistics shall, upon request of any person having a proper interest therein, make a thorough search and supply a certified copy or authentication, under seal of his office, of any record registered and in his custody under provisions of this Chapter. A report of a search, a copy, or extract made from any record registered under these provisions, when authenticated by the state registrar, shall be prima facie evidence of the facts therein stated. Provided that records of birth and death shall not be disclosed except as authorized by the state board of health.

The state registrar, as agent for the state board of health, shall be entitled to fees as follows:

A. The fee shall be two dollars (\$2.00) for making any search of the records and reporting the findings, or for making one certified copy of the record if found. Provided, that the fee shall be one dollar (\$1.00) each for additional copies of the same record ordered at the same time.

B. The fee shall be five dollars (\$5.00) each for issuing an authenticated or exemplified copy, said amount to include certification fee of the Secretary of State.

C. The fee shall be three dollars (\$3.00) for each hour or fraction thereof required to complete a presumptive or special search and make a report of findings. Provided, that the state registrar may, at his discretion, decline to make any such search.

D. Any expense and cost incurred for furnishing vital statistics and tabulations shall be repaid in the same manner as other fees for services specified herein.

Applications for searches, copies, authentications and reports shall be accompanied by the prescribed fee. Provided, that payments for special or presumptive searches, reports and contract services may be postponed until the amount to be paid is determined. No fee received under these provisions shall be refunded.

The state registrar, as agent for the state board of health, shall cause a complete and correct account to be kept of all monies received under these provisions and shall cause said sums to be deposited with the state treasurer who shall keep said deposits in a special account to be known as the vital statistics fund. All of the deposits made into the vital statistics fund are hereby appropriated annually to the state board of health for the purpose of administering the vital statistics system in this state.

The county health officer of any county that employs a full-time local registrar of vital statistics, compensated by salary, may, upon request, issue a copy or extract from any original certificate of birth or death while said certificate is in his custody, and may collect a fee of one dollar (\$1.00) for each such copy or extract issued; provided, that the county health officer shall cause a complete and correct account to be kept of all fees received by him under these provisions, and shall remit said fees to the treasurer of his county board of health, or like official, for custody subject to disbursement in the interest of health services in his county."

Section 2. This Act is intended to relate entirely to the operation and regulation of the Alabama vital statistics system and is not intended to have effect on any other laws or parts of laws except to the extent in conflict with the positive provisions hereof.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Fine	Kilgore	Pearson
Bank	Foshee	Laxson	Pennington
Bassett	Gafford	Lemley	Perloff
Beck	Garrett	Lybrand	Robertson
Berryman (W)	Graham	Malone	Sessions
Blanton	Grainger	Manley	Smith
Brannan	Hain	Marr	Springer
Brassell	Hardin	Mathews	Starnes
Burgess	Harper	Mays	Steagall
Cameron	Harris	McCorquodale	Stembridge
Collier	Haygood	McDonald	Stubbs
Collins (C)	Higginbotham	McElhaney	Tuck
Collins (W)	Hill	McLain	Turnham
Cook (Coffee)	Hobbie	Melton	Waggoner
Cook (Jefferson)	Holladay	Merrill	Williams
Culver	House	Money	Wood
Dill	Jackson (F)	Nettles	Wright
Downing	Jackson (T)	Owen (Baldwin)	Yielding
Drake	Jones	Paulk	Young
Edington			

—77

And the bill, H. 517, as thus amended:

To amend Code of Alabama 1940, Title 22, Sections 37 and 42; Provision of blanks by the state registrar, issue of instructions, examination of certificates, and securing of additional information to complete the records, prescribed; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Crane	Harper	Marr
Bank	Crawford	Harris	Mathews
Bassett	Culver	Haygood	Mays
Beck	Dill	Higginbotham	McCorquodale
Berryman (W)	Downing	Hill	McElhaney
Blanton	Drake	Hobbie	McLain
Brannan	Edington	Jackson (F)	Melton
Brassell	Ellis	Jackson (T)	Merrill
Brown	Fine	Jones	Money
Burgess	Foshee	Kilgore	Nettles
Cameron	Gafford	Laxson	Owen (Baldwin)
Collier	Garrett	Lemley	Owens (W.E.)
Collins (C)	Graham	Lybrand	Paulk
Collins (W)	Grainger	Lyons	Pearson
Cook (Coffee)	Hain	Malone	Pennington
Cook (Jefferson)	Hardin	Manley	Perloff

Pruitt
Robertson
Sessions
Smith
Springer

Steagall
Stembridge
Stubbs
Tuck

Turnham
Waggoner
Weeks
Williams

Wood
Wright
Yeilding
Young

—81

Nay: Mr. Holladay

—1

And the bill:

H. 1086. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Was taken up.

Mr. Perloff offered the following substitute to the bill, H. 1086:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," is amended to read as follows:

"Section 89. All contracts or agreements made or entered into in this state by foreign corporations which have not qualified to do business in this state shall be held void at the suit of such foreign corporation by virtue of said void contract or agreement; but nothing herein shall abrogate the equitable rule that he who seeks equity must do equity; and provided, however, that the failure of a foreign corporation to qualify to do business in this state shall not impair the validity of any contract or agreement heretofore or hereafter entered into and having to do with a mortgage upon real property or an interest in real property in this state, where the mortgage is insured by the Federal Housing Administration or guaranteed by the Veterans Administration, if said foreign corporation shall have thereafter qualified to do business in this state. In all suits against such foreign corporation or against any person claiming under such foreign corporation by virtue of such void contract, the foreign corporation or such person claiming under it shall be held to be estopped from setting up the fact that the contract or agreement was so made in violation of law. In all actions against foreign corporations who have not qualified to do business in this state as provided by law, the summons or other process may be served upon the officer, agent or employee of the foreign corporation who acted for or represented such foreign corporation in making the contract or agreement sued upon."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker	Fine	Lemley	Owens (W.E.)
Bank	Foshee	Lybrand	Paulk
Bassett	Garrett	Lyons	Pearson
Beck	Gloor	Malone	Pennington
Berryman (W)	Graham	Manley	Perloff
Brannan	Grainger	Marr	Sessions
Brassell	Hain	Mays	Springer
Cameron	Hardin	McCorquodale	Starnes
Collier	Harris	McElhaney	Steagall
Collins (W)	Haygood	McLain	Stembridge
Crawford	Hill	Melton	Stubbs
Downing	Holladay	Merrill	Williams
Drake	Jackson (F)	Money	Wood
Edington	Jones	Nettles	Wright
Ellis	Laxson	Owen (Baldwin)	Young

—60

Nays: Messrs. Blanton and Neville

—2

And the bill, H. 1086, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 3.

Yeas:

Mr. Speaker	Foshee	Lyons	Paulk
Bank	Garrett	Malone	Pearson
Bassett	Gloor	Manley	Pennington
Beck	Graham	Marr	Perloff
Berryman (W)	Grainger	Mathews	Pruitt
Brannan	Hain	Mays	Sessions
Brassell	Hardin	McCorquodale	Springer
Cameron	Harris	McElhaney	Starnes
Collier	Haygood	McLain	Steagall
Collins (C)	Hill	Meade	Stembridge
Collins (W)	Holladay	Melton	Stubbs
Downing	Jackson (F)	Merrill	Williams
Drake	Jones	Money	Wood
Edington	Laxson	Nettles	Wright
Ellis	Lemley	Owen (Baldwin)	Yeilding
Fine	Lybrand	Owens (W.E.)	Young

—64

Nays: Messrs. Blanton, Gafford and Jackson (T)

—3

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 847 with a suggested Executive Amendment.

Respectfully submitted

ROBERT M. CLECKLER
Executive Secretary

August 12, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 847 without my approval.

I respectfully suggest that Section 1 of House Bill No. 847 be amended to read as follows:

"Section 1. In all counties in this State having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census, the members of the county governing bodies shall be entitled to be reimbursed for certain expenses incurred in travel outside their respective county. This expense allowance shall be in addition to any and all other compensation or allowance prescribed by law for the members of such governing body."

I have discussed this amendment with the sponsor of this legislation and it is at his request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER
Governor

August 12, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Tuck, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 847, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Gafford	Lemley	Owens (W.E.)
Bank	Garrett	Lybrand	Paulk
Bassett	Gloor	Lyons	Pearson
Beck	Graham	Malone	Pennington
Berryman (W)	Grainger	Manley	Pruitt
Blanton	Hain	Marr	Robertson
Brannan	Hardin	Mays	Sessions
Brassell	Harper	McCorquodale	Smith
Cameron	Harris	McDonald	Springer
Collier	Haygood	McElhaney	Starnes
Collins (C)	Headley	McLain	Steagall
Collins (W)	Higginbotham	Meade	Stembridge
Cook (Coffee)	Hill	Melton	Stubbs
Crawford	Hobbie	Merrill	Tuck
Dill	Jackson (F)	Money	Turnham
Downing	Jackson (T)	Nettles	Weeks
Drake	Jones	Neville	Williams
Edington	Kilgore	Owen (Baldwin)	Yielding
Ellis	Laxson	Owens (W)	Young
Foshee			

—77

Which was a majority of the whole number elected to the House.

And said bill:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500

nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 78; Nay 1.

Yeas:

Mr. Speaker	Gafford	Lyons	Pearson
Bank	Gloor	Malone	Pennington
Bassett	Graham	Manley	Perloff
Beck	Grainger	Marr	Pruitt
Berryman (W)	Hain	Mays	Robertson
Brannan	Hardin	McCorquodale	Sessions
Brassell	Harper	McDonald	Smith
Burgess	Harris	McElhaney	Springer
Cameron	Haygood	McLain	Starnes
Collier	Headley	Meade	Steagall
Collins (C)	Higginbotham	Melton	Stembridge
Cook (Coffee)	Hill	Merrill	Stubbs
Crawford	Hobbie	Money	Tuck
Dill	Holladay	Nettles	Turnham
Downing	Jackson (F)	Neville	Williams
Drake	Jackson (T)	Owen (Baldwin)	Wood
Edington	Jones	Owens (W)	Wright
Ellis	Laxson	Owens (W.E.)	Yeilding
Fine	Lemley	Paulk	Young
Foshee	Lybrand		

—78

Nay: Mr. Blanton

—1

Which was a majority of the whole number elected to the House.

MOTION TO BRING UP H. 1087 LOST

The motion of Mr. Perloff to suspend the rules and bring up out of order the bill, H. 1087, was lost.

Yeas 56; Nays 20.

Yeas:

Messrs.:	Fine	Lybrand	Pennington
Bank	Foshee	Lyons	Perloff
Bassett	Gloor	Marr	Pruitt
Beck	Graham	Mays	Robertson
Berryman (W)	Grainger	McDonald	Smith
Brassell	Hain	McElhaney	Springer
Brown	Hardin	McLain	Stubbs
Cameron	Harper	Melton	Waggoner
Collier	Harris	Merrill	Watkins
Collins (C)	Haygood	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Cook (Coffee)	Holladay	Owens (W.E.)	Wood
Downing	Jackson (F)	Paulk	Wright
Edington	Jackson (T)	Pearson	Yeilding
Ellis			

—56

Nays:

Mr. Speaker	Garrett	Jones	Meade
Blanton	Headley	Kilgore	Neville
Cook (Jefferson)	Hobbie	Lemley	Owens (W)
Crawford	Holman	Malone	Starnes
Gafford	House	Manley	Stembridge

—20

And the bill:

H. 87. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Was taken up.

On motion of Mr. Snell, the bill, H. 87, was carried over to the thirty-first legislative day.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:10 p.m. on August 14, 1969.

H. 243
 H. 810
 H. 1090
 H. 1116
 H. 1148
 H. 1151
 H. 1152
 H. 1022
 H. 1033
 H. 1021
 H. 1155
 H. 1150
 H. 1158
 H. 1156
 H. 1147
 H. 1153
 H. 860
 H. 1029

H. 1039
H. 1058
H. 677
H. 1161
H. 1160
H. 1159
H. 1118
H. 400
H. 776
H. 45
H. 396
H. 1154
H. 1149
H. 1098
H. 1096
H. 1104
H. 1076
H. 1075
H. 1073
H. 1080
H. 682
H. 475
H. 1028
H. 699
H. J. R. 79
H. J. R. 114
H. J. R. 100
H. J. R. 101
H. J. R. 102
H. J. R. 103
H. J. R. 109
H. J. R. 110
H. J. R. 111

Delivered to the Secretary of State at 4:13 p.m. on August 14, 1969.

H. 695
H. 697
H. 168

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Manley, the House adjourned until two o'clock P. M. Tuesday, August 19, 1969.

Yeas 43; Nays 40.

Yeas:

Mr. Speaker	Downing	Lemley	Paulk
Adwell	Fine	Manley	Pearson
Bank	Foshee	Marr	Perloff
Berryman (W)	Grayson	Mathews	Starnes
Brannan	Harper	Mays	Steagall
Brassell	Harris	McDonald	Watkins
Burgess	Haygood	Meade	Weeks
Collier	Headley	Melton	Williams
Collins (W)	Holladay	Merrill	Wood
Crawford	Kilgore	Neville	Young
Dill	Laxson	Owens (W.E.)	

—43

Nays:

Messrs.:	Ellis	Jackson (F)	Pennington
Agee	Garrett	Jackson (T)	Pruitt
Bassett	Graham	Jones	Robertson
Blanton	Grainger	Lybrand	Sessions
Bolton	Hain	Malone	Smith
Bowers	Hardin	McCorquodale	Stembridge
Brown	Higginbotham	McLain	Stubbs
Cameron	Hill	Money	Tuck
Collins (C)	Holman	Nettles	Turnham
Cook (Jefferson)	House	Owens (W)	Waggoner
Drake			

—40

THIRTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Friday, August 15, 1969

The House did not meet today.

THIRTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 19, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Levi Sides, Pastor, Hamilton Church of Christ, Hamilton, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Adwell	Doss	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Burgess	Grayson	McDonald	Steagall
Burgreen	Hain	McElhanev	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Haygood	Meeks	Turnham
Collins (C)	Headley	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	House	Owens (W)	Young
Dill	Jackson (F)	Owens (W.E.)	

—103

A quorum was present.

COMMITTEE APPOINTED

The Speaker appointed as the Committee of the House to escort Senator James Allen, for a Joint Session of the two Houses, Messrs. Marr, Pennington and Mathews.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

RECESS

At the request of Mr. Ellis, the House recessed for ten minutes for presenting the flags.

Four members of the armed services, representing the Army, the Navy, the Marine Corps, and the Air Force, presented to the House flags

of the State of Alabama, the United States of America, the Confederacy, and the Alabama Sesquicentennial.

HOUSE RECONVENED

After the presentation of the flags, the House reconvened and the Speaker called the House to order.

RECESS FOR JOINT SESSION

On motion of Mr. Merrill, the House recessed for a Joint Session of the two Houses to hear an address by Senator James B. Allen, pursuant to H. J. R. 79.

HOUSE RECONVENED

Following the Joint Session, the House reconvened, and the Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 125. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, August 20, 1969, and when they adjourn on Wednesday, August 20, 1969, they adjourn to meet again on Thursday, August 21, 1969, and when they adjourn on Thursday, August 21, 1969, they adjourn to meet again on Tuesday, August 26, 1969, and when they adjourn on Tuesday, August 26, 1969, they adjourn to meet again on Thursday, September 4, 1969.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 125 was adopted.

RECESS

On motion of Mr. Merrill, the House recessed for ten minutes.

HOUSE RECONVENES

The House reconvened and the Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 126. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirty-second Legislative Day, taking precedence over any other business in the House for this day:

Report of Standing Committees

Introduction of Bills

Senate Messages

Uncontested Local Bills

S. B. 775, Page 108
H. B. 1342, Page 180
H. B. 614, Page 28
S. B. 558, Page 151
H. B. 587, Page 61
H. B. 585, Page 62
S. B. 117, Page 178
S. B. 112, Page 178
H. B. 336, Page 23
H. B. 1315, Page 94
H. B. 1296, Page 93
H. B. 1321, Page 138
H. B. 1323, Page 138
H. B. 48, Page 97
S. B. 278, Page 103
S. B. 499, Page 113
S. B. 461, Page 148
S. B. 751, Page 154
H. B. 846, Page 73
H. B. 201, Page 19
H. B. 875, Page 69
S. B. 322, Page 146
H. B. 1438, Page 140
H. B. 1238, Page 117
S. B. 725, Page 123
S. B. 190, Page 121
H. B. 356, Page 76
H. B. 604, Page 153
S. B. 605, Page 153
S. B. 606, Page 154
S. B. 607, Page 154
S. B. 724, Page 182
S. B. 507, Page 119
S. B. 508, Page 119
S. B. 509, Page 119

S. B.	223,	Page	191
S. B.	242,	Page	192
S. B.	153,	Page	111
H. B.	30,	Page	88
H. B.	844,	Page	137
H. B.	89,	Page	8
H. B.	59,	Page	3
H. B.	1444,	Page	177
H. B.	334,	Page	23
H. B.	563,	Page	10
H. B.	147,	Page	2
H. B.	1272,	Page	106
S. B.	338,	Page	147
S. B.	339,	Page	122
H. B.	1492,	Page	177
S. B.	419,	Page	148
S. B.	420,	Page	148
S. B.	518,	Page	150
H. B.	526,	Page	23
H. B.	194,	Page	70
H. B.	148,	Page	36
S. B.	480,	Page	149
H. B.	520,	Page	178
H. B.	1220,	Page	83

On motion of Mr. Merrill, H. R. 126 was adopted.

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO H. J. R. NO. 107

We, the Committee of Conference appointed to reconcile the disagreement between the two Houses concerning H. J. R. 107, have met, considered the matter, and beg leave to report as follows:

We recommend that the Senate recede from its position and that the following resolution be agreed to:

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the committee created by Act No. 219, 1967 Special Session is hereby recreated and reconstituted effective on the date of passage of this resolution, to terminate on the first legislative day of the 1971 regular legislative session. Members of the committee shall serve until the committee terminates. No more than \$10,000.00 may be expended by said committee for the duration of its tenure.

Gus W. Young
 B. V. Hain
 John L. Culver
 On the part of the House
 Walter C. Givhan
 Stewart O'Bannon, Jr.
 J. J. Pierce
 On the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Young, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses concerning H. J. R. 107, said Report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 52; Nays 1.

Yeas:

Mr. Speaker	Dill	Jones	Owens (W)
Adwell	Dobbs	Kilgore	Paulk
Agee	Downing	Lybrand	Pennington
Bank	Drake	Lyons	Pruitt
Beck	Edington	Marr	Robertson
Berryman (W)	Ellis	Mays	Slate
Blanton	Garrett	McCorquodale	Smith
Brassell	Grainger	McDonald	Snell
Brown	Hain	Melton	Starnes
Burgreen	Harris	Merrill	Steagall
Cameron	Hill	Money	Tuck
Collins (W)	Hobbie	Nettles	Turnham
Culver	Holman	Owen (Baldwin)	Watkins

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Nay: Mr. Wright.

—1

MOTION TO RECOMMIT H. 1403

Mr. Downing moved to recommit the bill, H. 1403.

The motion of Mr. Edington to table the motion of Mr. Downing to recommit was tabled.

Yeas 13; Nays 32.

Yeas:

Messrs.:	Doss	Lyons	Nettles
Agee	Edington	Malone	Stubbs
Bassett	Graham	Merrill	Watkins
Cook (Jefferson)	Hardin		

—13

Nays:

Mr. Speaker	Downing	Marr	Perloff
Beck	Ellis	Mays	Robertson
Berryman (W)	Fine	McDonald	Smith
Brannan	Grainger	Melton	Springer
Brassell	Grayson	Money	Starnes
Cameron	Headley	Owen (Baldwin)	Turnham
Collins (C)	Hobbie	Paulk	Wood
Collins (W)	Lemley	Pennington	Wright

—32

The question then was on the motion of Mr. Downing to recommit, and the bill, H. 1403, was recommitted to the Standing Committee on Local Legislation No. 3.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Nettles, Grayson, Downing, Brannan, Marr, Edington, Wood, Perloff, Lyons, Owen (Baldwin), Collins (W) and Collins (C):

H. J. R. 127. WHEREAS, the Alabama Gulf Coast was severely battered and damaged even though spared the full force of Hurricane Camille's unprecedented destructive force; and

WHEREAS, area law enforcement personnel and units of the American Red Cross and Civil Defense, together with countless volunteer workers, labored long and hard to prepare South West Alabama for the hurricane, assisted in evacuating thousands of citizens from exposed areas and in providing shelter for refugees from the storm; and

WHEREAS, the same persons, together with hundreds of state, municipal, and utility employees immediately proceeded after the passage of Hurricane Camille with the tremendous task of "clean-up" and in restoring traffic arteries and vital utility services, and remain even now so engaged; and

WHEREAS, representatives of the area news media, including radio, television and press, ably performed the invaluable service of keeping South West Alabama residents fully informed throughout the long hours before, during and after the passage of Hurricane Camille;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we commend the law enforcement personnel of South West Alabama, particularly of Mobile and Baldwin Counties, the Mobile Chapter of the American Red Cross, the Mobile Area Civil Defense, the many volunteer workers, the hundreds of area state, municipal and utility employees, and the representatives of the area news media, including radio, television and press, for their invaluable services to residents of the Alabama Gulf Coast before, during and after the passage of Hurricane Camille.

BE IT RESOLVED FURTHER, That an enrolled copy of this resolution be sent to the governing bodies of Mobile and Baldwin Counties, to the municipal governing bodies in all municipalities in Mobile and Baldwin Counties, to the Mobile Chapter of the American Red Cross, to the Mobile Area Civil Defense, to the utilities serving Mobile and Baldwin Counties, and to the radio and television stations and newspapers serving Mobile and Baldwin Counties.

On motion of Mr. Nettles, the rules were suspended and H. J. R. 127 was adopted.

Also:

By Mr. Neville:

H. J. R. 128. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses Concurring, That there is hereby created a Joint Interim Committee on Revenue to study the modernization of the revenue system and revenue laws of Alabama. The committee shall consist of five persons whom shall be members of the House to be appointed by the Speaker of the House, and four persons whom shall be members of the Senate appointed by the presiding officer of the Senate. The mem-

bers of the committee shall elect a chairman and a vice-chairman from among their number and shall establish the procedures for the conduct of the committee's work. The presiding officer of the Senate and the Speaker of the House shall be ex officio members of the committee. The Commissioner of Revenue shall be an advisor to the committee.

The Committee shall make a comprehensive, detailed, technical study of the scope and effect of laws of Alabama and the other states relating to revenue and the State revenue system, and the administration of such laws and such system. The Committee is authorized and may employ or engage independent consultants or experts, persons, firms or corporations, as it deems necessary to make surveys and studies required and needful to complete the work of and to aid the Committee and in the preparation and compilation of its report; and may agree with such consultants, experts and other employees of the Committee on their compensation.

The Committee shall hold such hearings, examine witnesses and make such inquiries as it may consider necessary or appropriate in conducting its study and work. It shall have the power to subpoena witnesses, to take testimony under oath and to compel the production of writings or documents by subpoena.

The Committee shall prepare and submit a report of the facts compiled in its detailed technical study, including but not limited to, a comprehensive analysis of the revenue laws and procedures of administration thereof; a comparison with the revenue laws and procedures of other states; a detailed report of its findings, properly indexed for ready reference; and in general to present to the 1971 Regular Session of the Alabama Legislature a complete survey and report with supporting exhibits of the revenue situation in Alabama.

Members of the Committee shall be entitled to their regular legislative pay and per diem for each day in which they are actually engaged in committee work. The expenses of the committee shall be paid from funds appropriated to the use of the legislature, on warrants drawn by the State Comptroller upon requisitions signed by the committee chairman, provided the total amount so expended shall not exceed fifty thousand dollars (\$50,000.00).

The Committee shall make a final report, including its conclusions and recommendations, to the legislature not later than the tenth legislative day of the next regular session of the legislature, whereupon the committee be dissolved.

On motion of Mr. Neville, the rules were suspended and H. J. R. 128 was adopted.

Also:

By Mr. Money:

H. J. R. 129. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That we note with profound sorrow the deaths of Mrs. Ludie P. Gafford and Mr. Grover Cleveland Gafford, the parents of our esteemed colleague from Jefferson County, and extend our sympathy to Representative Gafford and the members of his family for their great loss.

On motion of Mr. Money, the rules were suspended and H. J. R. 129 was adopted.

Also:

By Messrs. Money, Meeks, House and Bowers:

H. J. R. 130. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That this body mourns the untimely death of Mr. Roy Hilton Adwell, father of our respected colleague from Jefferson County, and extends its sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

On motion of Mr. Money, the rules were suspended and H. J. R. 130 was adopted.

Also:

By Mr. Culver:

H. J. R. 131. WHEREAS most states in the Union, have for many years, honored their United States Senators and Representatives in the Congress by furnishing them with specially designed license plates; and

WHEREAS Alabama is presently represented by one of the most outstanding delegations this state has ever sent to Washington; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the commissioner of revenue be requested to issue a specially designed license plate bearing the designation "U. S. Senator," or "U. S. Representative," or "U. S. Congressman" to be placed on the personal passenger automobiles of all members of Congress from the state of Alabama.

BE IT FURTHER RESOLVED, That these license plates be furnished with no charge as a tribute by the people of this state to the members of our congressional delegation.

On motion of Mr. Culver, the rules were suspended and H. J. R. 131 was adopted.

Also:

By Mr. Culver:

H. J. R. 132. WHEREAS there has long been a need for a distinctive license tag for members of the House and Senate of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Commissioner of Revenue shall be authorized to issue a specially designed license tag bearing the designation "Senator" or "State Senator" for members of the Senate, and "State Representative" or "Legislator" for the members of the House, such tag to be used by the member only on his personally owned passenger car.

BE IT FURTHER RESOLVED, That an application for such tag be accompanied by proofs that all laws have been complied with relative to registration, licensing, taxes and fees concerning the vehicle which bears the tag, and no transfer of the tag can be made until such proofs are submitted regarding the new vehicle and approved by the commissioner.

BE IT FURTHER RESOLVED, That when a member vacates his office, the commissioner shall provide for the issuance of a replacement tag to be substituted for the special tag in the same manner as replacement tags are now provided by law.

On motion of Mr. Culver, the rules were suspended and H. J. R. 132 was adopted.

Also:

By Mr. Cook (Jefferson):

H. J. R. 133. TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

The Alabama Legislature, in Regular Session, most respectfully represent that Amendment Fourteen to the Constitution of the United States is being interpreted and construed by the Federal Judiciary and Executive Departments of the Federal Government to require racial quotas in faculties and student bodies of various school systems throughout the country and to require the bussing of students from neighborhood schools to schools outside the neighborhood in order to achieve racial quotas or balance in the school system. The Alabama Legislature agrees with the Congress of the United States that racial balance and bussing of students in order to achieve racial balance should not be and is not required by the Constitution of the United States, but that the Federal Judiciary and Federal Executive Departments are ignoring the mandates of Congress in this regard; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress, under the authority of Article V of the Constitution of the United States to propose an amendment to the Constitution of the United States, Amendment Fourteen thereof, by adding a proviso thereto substantially as follows:

"The Constitution of the United States, as amended, shall not be construed in such a manner as to empower the President of the United States, the Congress of the United States or the Judiciary of the United States to require quotas or balance on account of race, color, creed or national origin in pupil or faculty assignments in the educational systems operated by the various states or their political subdivisions. Any method of pupil or faculty assignment which recognizes the freedom of choice of any citizen residing within the boundaries of any particular educational system shall be construed to afford to such citizen the privileges and immunities of a citizen of the United States, and shall be construed as affording to such citizen equal protection of the law and shall not be construed as a deprivation of life, liberty or property without due process of law."

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States and to the Presiding Officers of the separate Houses of the Legislature of the several states and to the Governors of the several states and to the members of the Alabama delegation in the Congress of the United States.

On motion of Mr. Cook (Jefferson), the rules were suspended and H. J. R. 133 was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 328. To further amend Act No. 288, approved July 7, 1945,

(General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

H. 814. To require the identification of credit bureaus and credit reporting agencies, the disclosure of records of such bureaus or agencies to the applicant concerned, and to require such bureaus or agencies to keep credit records available for ten years.

H. 895. To amend Code of Alabama 1940, Title 46, Section 127, so as to change the amount of the annual fee for renewal of registration as a licensed embalmer.

H. 1219. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to examinations for establishing employment registers under the state merit system, so as to provide for a five point preference for persons permanently disabled in the performance of their duties as an employee under such state merit system.

H. 1519. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

H. 1520. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280 to 292 inclusive of Title 61, Code of Alabama 1940, as amended, and other inconsistent legislation.

H. 1525. Relating to the Legislative Reference Service and the Legislative Council, amending further Section 1 of Act No. 152, H. 60, Regular Session 1945 (General Acts 1945, p. 190), as amended, so as to provide further for the salary of the director of the Legislative Reference Service.

H. 1523. To provide that every person who participates in any endless chain shall be guilty of a misdemeanor; to provide for the punishment and fine for such misdemeanor; to define endless chain and participate as used in this Act; to limit the definition of compensation as used in this Act; to repeal all laws in conflict.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1534 (with amendment). To amend further Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended, so as to delete the provision relative to the district attorney of the twenty-third judicial circuit.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1538. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and

promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

S. 104. To amend Code of Alabama 1940, Title 49, Sections 78, 85, and 89, to increase the maximum age for children in the care or custody of individuals or institutions supervised by the state board of public welfare.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

S. 106 (with amendment). To amend Code of Alabama 1940, Title 13, Chapter 7, which relates to juvenile courts, so as to raise the maximum age for juvenile court jurisdiction and to revise certain of the rules relative to process of and procedures in such courts; amending Sections 350, 352, 353, 359, 360, 362, 363, 366, and 367.

S. 125 (with amendment). Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

S. 384. To provide for the appointment of one additional board member to the Alabama board of cosmetology; to provide for the qualifications, term, authority, duties, responsibilities and compensation of such member; and to provide that this act shall be supplementary to the state cosmetology law as provided by Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended.

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

S. 743. To amend Sections 1 and 5 of Act No. 21, H. 28 as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

Mr. Cook (Coffee), Chairman of the Standing Committee on State

Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1530. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census: providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 277 (with substitute). To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1277 (with substitute), (with amendment). Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1550. To amend Section 269(b) of Title 46 of the Code of Alabama 1940 which relates to the issuance by the State Board of Medical Examiners of certain certificates of qualification without examination.

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

S. 441. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

H. 435. Relating to public health: Requiring fluoridation of municipal water supplies; prescribing the powers and duties of the state board of health in relation thereto.

Mr. Turnham, Chairman of the Standing Committee on Education,

reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1510. To repeal Section 297 of Title 52, Code of Alabama 1940, which relates to the required school attendance of children of certain ages.

H. 1522. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 768. To except bonds issued by a municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

H. 1423. To amend Section 3 of Act No. 584, H. B. 795, Regular Session, 1963, Acts 1963, (P. 1278 et seq), an act relating to the establishment and operation of Regional Planning Commissions in the State of Alabama.

H. 808. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 146 (with amendment). To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 679. To exempt industrial development boards now or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

S. 162. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to

the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

S. 158. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

S. 463. To authorize county governing bodies to expend county funds to purchase, erect and maintain flagpoles and flags for display on courthouse premises.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1288. Relating to counties having a population of not less than 42,000 nor more than 46,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

H. 1334. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1434 (with substitute). Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1508. To transfer all portions of any State Forest that lays within boundary of counties having between 22,350 and 24,000 population to the Division of State Parks.

H. 1509. To transfer all portions of any State Forest that lays within boundary of counties having between 32,500 and 34,000 population to the Division of State Parks.

H. 1512. To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

H. 1513. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

H. 1514. Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

H. 1515. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

H. 1516. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

H. 1518. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1521 (with substitute). To provide specially for the ordering and conduct of elections to be held for the purpose of authorizing the levy within a single school tax district covering all the area of a county lying outside the corporate limits of any city having a population of 2,500 or more, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III; to provide that Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election; and to limit in certain respects the application of Section 268 of Title 52 of the Code of Alabama of 1940 to any such election.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1526. To fix the compensation of deputy district attorneys of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury.

H. 1527. Relating to the eleventh judicial circuit; to provide further for the compensation of the judges and the district attorney of such circuit; and to repeal conflicting laws.

H. 1528. Relating to the eleventh judicial circuit; to provide additional compensation for official court reporters of such circuit; and to repeal conflicting laws.

H. 1535. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

H. 1537. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of pro-

secutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

H. 1539. To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

H. 1540. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties.

H. 1542. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act.

H. 1543. To provide for meetings of boards of registrars and for files of registered voters in counties of not less than 50,000 nor more than 54,000 population according to the last or any subsequent federal decennial census.

H. 1545. Relating to all counties having populations of not less than 12,500 nor more than 13,500 according to the most recent federal decennial census; providing further for certain fees allowed to judges of probate.

H. 1548. Relating to the eleventh judicial circuit; to provide further for the supplemental compensation of circuit judges in such circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

H. 1549. To provide further for the supplemental compensation of the district attorney of the eleventh judicial circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

The above bill was read a second time at length as required by the Constitution.

S. 744. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

S. 798. To regulate further the method of summoning jurors in Marshall County; providing for summoning jurors either by registered or certified mail or personal service by the sheriff of the county.

S. 799. Relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws.

S. 800. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff and his deputies and other employees and providing for the manner of their payment; authorizing the appointment of additional deputies; and repealing conflicting laws,

specifically Act No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119).

S. 801. To provide that witnesses may be subpoenaed by registered or certified mail in Marshall County under certain conditions.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1536. To provide retirement allowances for certain elected officers and former elected officials in all counties of the state having a population of more than 500,000 according to the last or any subsequent federal census.

H. 1541. To amend Act No. 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

H. 1511. To provide retirement allowances for elected officials and former elected officials in all municipalities of the State located in a county, which county has population of 600,000 or more according to the last and any subsequent federal census.

H. 1532. To further amend Section 5 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (General Acts of Alabama of 1945, page 376, et seq.) entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future federal census, a countywide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

H. 1533. Proposing an amendment to the Constitution of Alabama relating to authorizing the City of Birmingham to alienate or lease any public park or playground or any part or portion thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit.

H. 1547. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by re-defining the boundaries of the five districts of Madison County, Alabama.

H. 1546. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Mr. Fine, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 70 (with amendment). Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1422. To validate, in certain cases, acts of municipal corporations with populations of not more than 6,000 exercising zoning jurisdiction over territory within a mile and one-half of its corporate limits and not located within any other municipality and invalid because of any irregularity in the procedures taken to exercise such zoning powers; and the defining of zoning jurisdictional limits of such municipal corporations, and for other purposes.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1299. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955, an act providing for urban renewal projects (Acts 1955, v. 2, p. 1210), as amended, in relation to the powers of housing authorities and municipalities to acquire planning funds from federal agencies.

Also:

H. 924. To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1262. To provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

H. 1264. Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

Also:

H. 1266. Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the funds out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

Also:

H. 1280. To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Also:

H. 1281. To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

Also:

H. 1282. Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 1286. Relating to counties having populations of not less than 35,100 nor more than 36,100; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials.

Also:

H. 1287. To alter or rearrange the boundary lines of the City of

Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama.

Also:

H. 1292. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 1293. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

H. 1295. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipment, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Also:

H. 1298. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws.

Also:

H. 1300. To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting laws.

Also:

H. 1301. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 1314. To amend Section 1 of Act No. 179, Acts of Alabama 1965, page 250, relating to counties having a population of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to provide an additional expense allowance for members of the governing body of any such county payable out of county funds; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1110. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the most recent federal decennial census; to regulate the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures and other property of such buildings; to repeal conflicting laws.

Also:

H. 1215. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Also:

H. 1214. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Also:

H. 1213. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

Also:

H. 1207. Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

Also:

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Also:

H. 1337. To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and to pay a certain sum to the estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

Also:

H. 1066. Relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Also:

H. 1071. Authorizing the county governing body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from stor-

age, said gasoline or other liquid motor fuel and that the substance of said bill is as follows.

Also:

H. 1108. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this Act shall become effective.

Also:

H. 1109. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

H. 1200. Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts, 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees, so as to provide further for the disposition and use of such fees.

Also:

H. 1201. Relating to Autauga County; regulating further the compensation of the jury commission and the clerk thereof.

Also:

H. 1216. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1329. A bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

Also:

H. 1310. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Also:

H. 1330. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

Also:

H. 1331. Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

Also:

H. 1340. Relating to counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Also:

H. 1269. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws.

Also:

H. 1332. To apply to all counties having populations of not less than 46,000 nor more than 46,500 according to the most recent federal decennial census and in which a special juvenile court has been established; to authorize the appointment of a probation officer to serve such court and to prescribe his qualifications, duties and authority; to authorize and direct the commissioner of the state department of pensions and security to pay a portion of said probation officer's salary out of certain funds available to said department under certain conditions and to provide that the remainder of his salary and all other expenses shall be paid on a pro rata basis by the governing bodies of the county and of the largest city therein of all counties to which this act applies.

Also:

H. 1270. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws.

Also:

H. 1267. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties.

Also:

H. 1276. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census.

Also:

H. 1268. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties; and repealing conflicting laws.

Also:

H. 1404. To amend Section 1 of Act Number 432, House Bill 937, Regular Session, 1961 Legislature of Alabama, as amended by Act Number 28, Senate Bill 101, Special Session, 1966, Legislature of Alabama; an act to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 342 without his approval.

Respectfully submitted,
ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith House Bill 342 without my approval.

Attached hereto is a copy of an Opinion of the Justices concerning said House bill.

Respectfully,
ALBERT P. BREWER,
Governor.

August 19, 1969

THE STATE OF ALABAMA—JUDICIAL DEPARTMENT SUPREME COURT OF ALABAMA SPECIAL TERM 1969

Honorable Albert P. Brewer
Governor of Alabama
State Capitol
Montgomery, Alabama

Dear Governor Brewer:

We reply to your questions propounded to us concerning House Bill 342. Said bill, together with the amendments thereto and your request for this opinion, will be set out by the reporter.

In answering Question No. 1, assuming that the bill "as presently written," includes the amendments thereto, we answer Question No. 1 in the affirmative.

We answer Question No. 2 in the affirmative. Our answer to your Question No. 2 is the basis for our answer to Question No. 1.

Section 111 of the Constitution provides:

"No bill introduced as a general law in either house of the legislature shall be so amended on its passage as to become a special, private or local law."

House Bill 342 was introduced as a general bill, but the amendments (Section 4) converted it into a local bill. Each of these amendments could apply to only one county. It has long been recognized that an act which was intended to apply to only one county, which is named, is a local act. *Kyle v. Wiggins*, 212 Ala. 116, 102 So. 145; *Kyle v. Wiggins*, 20 App. 347, 102 So. 143.

The amendments to House Bill 342 (Section 4) do not name the counties, but the population classifications in the several amendments are so narrow that it is plain that only one particular county was intended to be affected. Examples are:

Population range 21,900-22,300 applies only to Franklin County.

Population range 51,000-56,000 applies only to Walker County.

Population range 22,350-23,000, 17,500 to 17,800, and 18,000-18,900 apply only to Monroe County, Conecuh County and Wilcox County, respectively.

Population range 22,000-22,350 applies only to Geneva County.

Population ranges 14,000-14,900 and 21,000-21,850 apply only to Winston County and Marion County, respectively.

Population range 60,000-61,000 applies only to Morgan County.

The same vice is present in all of the other provisions of Section 4.

The law is settled in this state as to the conditions justifying a population classification in a bill or act. We quote from a recent case concerned with voting and elections, *Duncan v. Meeks*, 281 Ala. 452, 204 So. 2d 485:

"* * * The difference in population must be substantial and the classification must be made in good faith and must be reasonably related to the purposes to be effected by the act. If these conditions exist, the fact that at the time the law may be applicable to only one political subdivision of the state will not suffice for its condemnation. On the other hand, if the classification is not in good faith, bears no reasonable relation to the difference in population upon which it rests in view of the purpose to be effected by such legislation and was arbitrarily fixed, the law will be condemned as local and as having been passed merely under the guise of a general law in violation of the Constitution. *Reynolds v. Collier*, 204 Ala. 38, 85 So. 465; *State ex rel. Brooks v. Gullatt*, 210 Ala. 452, 98 So. 373; *Vaughan v. State ex rel. Dawson*, 212 Ala. 258, 102 So. 222; *State ex rel. Saltsman v. Weakley*, 153 Ala. 648, 45 So. 175; *Ward v. State ex rel. Lea*, 224 Ala. 242, 139 So. 416."

We do not think that the population classifications in Section 4 of House Bill 342 are substantial, or that they are made for any reason except to exclude certain specific counties from the operation of the proposed law, or that any of them are reasonably related to the purposes to be effected by the act.

We note also that these amendments were not enacted as required by the last sentence of Section 104 of the Constitution.

In our opinion, the amendments listed in Section 4 so amended the bill introduced as a general bill that it became a local bill insofar as certain counties are concerned under Section 111 of the Constitution, and since it was not advertised as required by Section 106 of the Constitution, House Bill 342 is unconstitutional, unless saved by the severability clause.

In arriving at this conclusion, we took into consideration the case of *State ex rel. Collman v. Pitts*, 160 Ala. 133, 49 So. 449, and similar cases, where this Court held that a general law, relating to prohibition of liquor, was not converted into a local law by virtue of a proviso which retained certain local laws already passed. There, the court said, in part:

"We do not wish to hold that a law which might apply in the main to a particular subdivision of the state would become a general law because of the fact that some minor or insignificant feature of same was made applicable to the entire state, for the sole purpose of avoiding the requirements of section 106 of the Constitution of 1901 as to notice, etc., and that it would answer to the definition of section 110; but we do hold that when a law is passed and which bona fide, as to some of its material and important features, applies to the whole state, it will not be converted into a local law, because it does not operate in its every detail throughout the state. * * * We are not willing to hold that the Constitution means that a law is not a general one, unless it operates in its every detail throughout the state, notwithstanding it may have a bone fide application to the entire state in its material parts, for to do so would relegate us almost exclusively to local laws for relief, when it was the manifest purpose of the present Constitution to dispense with local laws, as far as practicable, when the relief can be obtained by a general law."

That principle has no application here. The "material and important features" of House Bill 342 could have no application in the exempted counties, could not apply to the whole state because of the exemptions and exclusions included in Section 4, and, as already pointed out, the population classifications in Section 4 are not substantial; they are arbitrary just so as to exclude particular counties and bear no reasonable relation to the purposes to be effected and are invalid. *Ward v. State ex rel. Lea*, 224 Ala. 242, 139 So. 416.

We are further requested to express our opinion as to whether said bill is unconstitutional in its entirety or, due to the severability clause contained therein, the above ruling of unconstitutionality is restricted to the amendments thereto (Section 4).

The responsibility of the Supreme Court is to give effect to the legislative intent where it is manifested. *State v. Union Tank Car Co.*, 281 Ala. 246, 201 So. 2d 402.

As indicated above, House Bill 342, as passed by the legislature, exempted certain counties from the operation of the bill, such exemptions being based on population classifications. We are not here concerned with the motives which prompted individual members of the legislature to vote as they did on the measure. The following from *Wiseman v. Madison Cadillac Co.*, 191 Ark. 1021, 88 S. W. 2d 1007, 1009, 103 A. L. R. 1208, cited with approval by this Court in *James v. Todd*, 267 Ala. 495, 103 So. 2d 19, appeal dismissed 358 U. S. 206, 79 S. Ct. 288, 3 L. Ed. 2d 235, is applicable:

"The intention of the Legislature, to which effect must be given, is that expressed in the statute, and the courts will not inquire into the motives which influenced the Legislature or individual members in voting for its passage, nor indeed as to the intention of the draftsman or of the Legislature so far as it has not been expressed in the act. So in ascertaining the meaning of a statute the court will not be governed or in-

fluenced by the views or opinions of any or all of the members of the Legislature, or its legislative committees or any other person." *Id.*, at 506.

It is a well-established rule in this State that a severability clause should be given effect where possible in order to save a legislative enactment. *Allen v. Walker County*, 281 Ala. 156, 199 So. 2d 854; *Wilkins v. Woolf*, 281 Ala. 693, 208 So. 2d 74; *San Ann Tobacco Co. v. Hamm*, 283 Ala. 397, 217 So. 2d 803. Such a clause or provision in an act is to be given its full scope and effect. *Shuttlesworth v. Birmingham Bd. of Ed. of Jefferson County, Alabama*, 162 F. Supp. 372, affirmed 358 U. S. 101, 79 S. Ct. 221, 3 L. Ed. 2d 145.

When that which we have declared unconstitutional is stricken, there remains an act complete in itself, sensible and capable of being executed. The striking of the invalid sections does not overthrow the entire act. *Alabama Public Service Commission v. AAA Motor Lines, Inc.*, 272 Ala. 362, 131 So. 2d 172, cert. denied 368 U. S. 896, 82 S. Ct. 173, 7 L. Ed. 2d 93.

The severability clause in House Bill 342, declaring that the unconstitutionality or invalidity of any part of the Act shall not affect the part of the Act which remains, serves to assure this Court that the legislature intended that the Act should be divisible, and that the invalidity of any part thereof should not affect the validity of remaining portions of such Act. *Opinion of Justices*, 247 Ala. 195, 23 So. 2d 505. Therefore, our answer is that the unconstitutionality of the bill as presently written is overcome by the striking of the amendments thereto.

We are, therefore, of the opinion that when the amendments included in Section 4 are stricken from the bill, the remainder of the bill is not violative of Section 111 of the 1901 Constitution of Alabama.

Respectfully submitted,

J. Ed Livingston,
Chief Justice
Thomas S. Lawson
Robert T. Simpson
James S. Coleman, Jr.
Associate Justices

We concur in the answers to Questions 1 and 2, but as to Question 3, we opine that the separability clause, Section 6 of the bill, does not make the bill constitutional. When the amendments in Section 4 were added, the bill was converted from a general bill to a local bill. Therefore, as already noted, the bill became unconstitutional because it had not been properly advertised as required by Section 106 of the Constitution.

All rules for construing statutes must be regarded as subservient to the end of determining the legislative intent; and such intent must be determined from the language of the statute itself if it is unambiguous. *Glencoe Paving Co. v. Graves*, 266 Ala. 154, 94 So. 2d 872; *State v. Thames, Jackson, Harris Co.*, 259 Ala. 471, 66 So. 2d 733.

It is clear that the intent of the Legislature was to exempt cities in certain specified counties from the operation of the proposed law. Each of these amendments could have been defeated or excluded had the Legislature so desired. The large number of exclusions and amendments give weight to the conclusion that both the House and the Senate intended that the bill not apply in certain counties, just as it should not apply in any town in the state. (Section 1).

It is both possible and probable that some representatives and senators voted for the bill on final passage because they thought they were secure in the knowledge that the county or counties they represented had been specifically excluded from the operation of the bill. The bill specifically exempts 23 counties, and the Legislature took the pains to enumerate them by population classifications, but under the majority opinion, a usual separability clause, which is general and not specific, is given more weight in ascertaining the intent of the Legislature than the detailed and specific provisions of Section 4 of the bill.

Thus, a general and customary sentence found in most legislative enactments is permitted to make constitutional a bill which all the justices participating in this opinion agree is a local bill and unconstitutional except for the separability clause. This would make the law effective in 23 counties whose legislative delegations thought had been removed from the bill's operation, and specifically contrary to the plain and announced intention of the Legislature that the bill did not affect these 23 counties. It is doubtful if ever before a separability section in a bill put a law into effect in over one-third of the counties in the state when the Legislature had plainly, specifically and intentionally excluded those counties from the operation of the bill.

To give effect to the separability clause by striking Section 4 would make the proposed law effective in many counties in which the Legislature specifically had exempted and thus a separability clause would be given more effect than the expressed intention of the Legislature in dealing with numerous counties of the state.

We have not been cited to, or have we found, any case in Alabama which holds that a separability clause in a bill can change it from a local bill to a general bill. We do not think such a clause can nullify the effect of Section 111 of the Constitution.

It would be an anomaly if a general bill could be converted into a local bill by amendments, and after passage as amended, be reconverted into a general bill by invocation of a separability clause. Such a chameleon process in itself is a complete denial of the legislative intent and legislative processes.

We think we are fortified in our opinion by the last sentence of Section 104 of the Constitution which reads:

"The legislature shall pass general laws for the cases enumerated in this section, provided that nothing in this section or article shall affect the right of the legislature to enact local laws regulating or prohibiting the liquor traffic; but no such local law shall be enacted unless notice shall have been given as required in section 106 of this constitution."

It is evident that the Constitution permits local laws "regulating or prohibiting the liquor traffic" and the Legislature may constitutionally enact such local laws at any time concerning every affected city included in H. B. 342. But it is also specified that the law must be advertised as required by Section 106. H. B. 342 does not meet this requirement. It is a local bill and is not converted into a general bill by the separability clause.

Respectfully submitted,

Pelham J. Merrill

Robert B. Harwood

Associate Justices

STATE OF ALABAMA
GOVERNOR'S OFFICE
MONTGOMERY

ALBERT P. BREWER
Governor

August 12, 1969

Honorable Chief Justice and Associate Justices
Supreme Court of Alabama
Judicial Building
Montgomery, Alabama 36104

Gentlemen:

Pursuant to the authority vested in me by Section 34, Title 13, Code of Alabama 1940, Recompiled 1958, I respectfully request your opinion on an important constitutional question in connection with House Bill No. 342, a copy of which is attached hereto, which was passed by the Legislature of Alabama during the 1969 Regular Session on the following:

(1) Is House Bill No. 342, as presently written unconstitutional?

(2) Does the adoption of the amendments to House Bill No. 342 exempting certain named counties from the operation and effect of the act constitute a violation of Section 111 of the Constitution of Alabama in that House Bill No. 342 was introduced as a general law and was so amended on its passage as to become a special, private, or local law?

(3) If the amendments to House Bill No. 342 exempting certain named counties from the operation and effect of the act are held to be unconstitutional, is the entire bill to be held unconstitutional or does the fact that the bill contains a severability clause limit your ruling of unconstitutionality to the foregoing mentioned amendments only?

Under Section 125 of the Constitution, I must take some action within six days, Sundays excepted, after the bill has been presented to me and I would, therefore, respectfully request your opinion in time for me to take further action if the bill does not violate our Constitution. Therefore, your prompt attention to this request will be most appreciated.

With best wishes, I am

Sincerely yours,

ALBERT P. BREWER,
Governor.

APB:eb

Enclosure

By Mr. McElhaney:

H. 342

Enrolled, An Act, To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

Be It Enacted by the Legislature of Alabama:

SECTION 1. ELECTIONS IN CERTAIN MUNICIPALITIES
AFTER MAJORITY VOTE IN COUNTY AGAINST SALE OF ALCO-

HOLIC BEVERAGES—The governing body of any city having a population of not less than 2,000, according to the most recent federal decennial census, located in a county which has voted against the legal sale and distribution of alcoholic beverages shall, upon receipt of a petition bearing the signatures of 25 percent of the voters residing in the city whose names appeared on the next preceding published list of qualified voters, call an election to determine whether or not alcoholic beverages shall, notwithstanding the results of such previous county election and the consequent dry status of the county as a whole, legally be sold and licensed within the corporate limits of the city.

Except insofar as inconsistent with the holding of a purely municipal election, the provisions of Title 29, Code 1940, relating to the conduct of elections, notice of elections, holding of elections, and determining the results of elections are to be made applicable to any municipal election held hereunder.

The majority of votes cast at such election shall determine the legality within the city of the sale and distribution of alcoholic beverages. If a majority of the votes cast in the election favor the sale and distribution of alcoholic beverages, then such sales shall thereafter be legal and lawful in that city, irrespective of the previous dry status of the county; and the governing body of that city shall notwithstanding any public, special, local or private act whenever passed or the results of any previous or subsequent county election to the contrary, issue appropriate licenses to all qualified applicants. If a majority of the votes cast at such election shall be against the sale of alcoholic beverages then such sales shall be unlawful and illegal unless authorized by a subsequent county-wide or subsequent municipal election.

SECTION 2. UNLAWFUL TO SELL ALCOHOLIC BEVERAGES IN DRY COUNTIES—Except as authorized by Section 23 of Title 29, Code 1940, or this Act, it shall be unlawful to sell alcoholic beverages within any county in which the electors have voted against such sales.

SECTION 3. This Act is cumulative and does not repeal any law except such as may be irreconcilable conflict.

SECTION 4. The provisions of this Act shall not apply in counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 22,350 nor more than 23,000; not less than 17,500 nor more than 17,800; not less than 18,000 nor more than 18,900, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 22,000 nor more than 22,350, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 14,000 nor more than 14,900; not less than 21,000 nor more than 21,850 according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 10,800 nor more than 12,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having popu-

lations of not less than 19,000 nor more than 19,500, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 28,000 nor more than 30,575, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 14,300 nor more than 14,600; not less than 19,500 nor more than 20,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 25,000 nor more than 25,700, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 60,000 nor more than 61,000, according to the most recent federal decennial census.

The provisions of this Act shall not apply in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census.

SECTION 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SECTION 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Speaker of the House of Representatives

President Pro Tem and Presiding Officer of the Senate

House of Representatives

August 5, 1969

I hereby certify that the within Act originated in and was passed by the House July 24, 1969 as amended.

JOHN W. PEMBERTON,
Clerk.

Senate 8/5/69

Amended and Passed

House 8/5/69

Concurred in Senate Amendment

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, J. O. Sentell, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered 1 through 13 contain a full, true and correct copy of the Opinion of the Justices rendered in response to the request of the Honorable Albert P. Brewer, Governor of Alabama, on August 12, 1969.

This August 19th, 1969.

J. O. SENTELL,
Clerk of the Supreme Court of Alabama.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

The question was on the motion of Mr. McElhaney for the passage of the bill, H. 342, the Governor's veto to the contrary notwithstanding.

And the bill, H. 342, was again read at length and the House refused to pass said bill over the veto of the Governor.

Yeas 28; Nays 70.

Yeas:

Messrs.:	Gloor	Kilgore	Nettles
Bank	Graham	Lybrand	Owens (W.E.)
Cameron	Grayson	Lyons	Perloff
Cherner	Harris	Malone	Sessions
Collins (C)	Hill	Manley	Springer
Culver	Hobbie	McElhaney	Watkins
Downing	Holman	Meeks	Wood
Edington			

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Nays:

Mr. Speaker	Brown	Doss	Haygood
Agee	Burgess	Drake	Headley
Bassett	Burgreen	Ellis	Higginbotham
Beck	Collier	Fine	Holladay
Berryman (W)	Collins (W)	Foshee	House
Blanton	Cook (Coffee)	Gafford	Jackson (F)
Bolton	Crane	Garrett	Jackson (T)
Bowers	Crawford	Grainger	Jones
Brannan	Dill	Hain	Laxson
Brassell	Dobbs	Hardin	Lemley

Marr	Money	Robertson	Stembridge
Mathews	Neville	Shumate	Stubbs
Mays	Owen (Baldwin)	Slate	Turnham
McCorquodale	Owens (W)	Smith	Waggoner
McDonald	Paulk	Snell	Wright
Meade	Pearson	Starnes	Yeilding
Melton	Pennington	Steagall	Young
Merrill	Pruitt		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1141. To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

Also:

H. 923. Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office; making further provisions respecting the number and employment of deputies and assistants for such officer; providing for their compensation; and repealing conflicting laws.

Also:

H. 879. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 925. To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

Also:

H. 1085. To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Also:

H. 1294. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Also:

H. 414. To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

Also:

H. 1297. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 1230. To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Also:

H. 260. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 236. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Also:

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Also:

H. 958. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the

powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

Also:

H. 803. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 81. To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act #1038 of the 1961 Legislature.

Also:

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

Also:

H. 1077. To further amend Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and em-

ployees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

Also:

H. 1078. To authorize any city having a population of 300,000 or more according to the last or any subsequent Federal decennial census, in which said city there shall have been or hereafter shall be created a public building corporation as provided for in Act Number 493, 1955 Acts of Alabama, as now or hereafter amended, to lease or convey to such public building corporation any property which shall have been acquired by such public building corporation as a result of any "project" after the bonds have been paid in full, notwithstanding Section 21 of said Act Number 493, as same may have been or may hereafter be amended.

Also:

H. 1079. To further amend Section 23 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951 (Ala. Acts, 1951, p. 1579 et seq.), which created for each city having a population of two hundred and fifty thousand (250,000) or more, according to the last or any succeeding Federal Census, a Pension and Relief or Retirement System for Officers and Employees of such city.

Also:

H. 1081. Relating to counties having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census; to provide for additional times when real property may be returned and valued for ad valorem tax purposes.

Also:

H. 1083. To amend further the Title, subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, P. 717 et seq.), which established a Pension System for the officers and employees of Jefferson County, Alabama.

Also:

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 990. To amend Section 6 of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to provide that if at any time any corporation organized thereunder or whose certificate of incorporation has been amended thereunder (regardless of whether it has ever issued any bonds) does not have any bonds outstanding, its Board of Directors may adopt a resolution declaring that such corporation shall be dissolved and that upon the filing for record of

a certified copy of such resolution in the office of the Judge of Probate of the county wherein the certificate of incorporation of such corporation was filed, such corporation shall stand dissolved and title to any property and assets then owned by it shall (except as otherwise provided in Section 7 of said Act No. 175) vest in the municipality which authorized its incorporation.

Also:

H. 1180. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent federal decennial census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1163. Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

Also:

H. 1157. Proposing an amendment to the Constitution relating to the levying of a special school tax in School District No. 1, Madison County, Alabama, which comprises all of Madison County, Alabama except for the City of Huntsville, Alabama.

Also:

H. 1167. To regulate the compensation of jurors in counties having populations of not less than 20,100 nor more than 21,850.

Also:

H. 1186. To authorize the governing bodies of all counties having populations of not less than 100,000 nor more than 115,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of an authority pursuant to this Act.

Also:

H. 1187. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 1191. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

Also:

H. 1231. Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

Also:

H. 1193. Proposing an amendment to the Constitution of Alabama relative to Bibb County, authorizing the legislature to fix, regulate, and alter the costs, charges of courts, fees, commissions, allowances, or compensation to be charged or received by the sheriff of Bibb County.

Also:

H. 1194. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailers, and to provide for the payment of expenses.

Also:

H. 1198. Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

Also:

H. 1241. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

H. 1242. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Also:

H. 1202. To propose an Amendment to the Constitution of Alabama relating to Chambers County, so as to provide further for the use of the proceeds of the special property tax authorized to be levied pursuant to Amendment No. 72 for hospital and public health purposes.

Also:

H. 1111. Relating to counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to authorize the governing body in such counties to provide additional deputies for the sheriff; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

Also:

H. 886. To amend Act No. 224 adopted at the Special Session of

1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Also:

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding \$25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Also:

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

Also:

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

Also:

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1260. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

Also:

H. 1259. To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each division; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

Also:

H. 1181. Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Also:

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula; and to prescribe the method of computing Sheriff's mileage.

Also:

H. 1189. To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation.

Also:

H. 1106. Relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to \$15.00 per day.

Also:

H. 1254. To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

Also:

H. 1256. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court; to authorize

the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

Also:

H. 1162. Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Also:

H. 1054. To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

Also:

H. 1053. Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

Also:

H. 1052. To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

Also:

H. 1045. Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Also:

H. 1043. To amend further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation."

Also:

H. 1046. Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

MCDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Also:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census.

Also:

H. 1091. Relating to counties having populations of 10,800 or less, according to the last or any subsequent federal decennial census; to fix the compensation of the county solicitor in such counties; to repeal conflicting laws.

Also:

H. 1103. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide an allowance for the employment of additional clerical assistance by the tax collectors and tax assessors of such counties; to repeal conflicting laws.

Also:

H. 1102. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

H. 1101. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor.

Also:

H. 1226. To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

Also:

H. 1225. To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

Also:

H. 1224. To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

Also:

H. 1221. Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Also:

H. 1168. To regulate the compensation of jurors in counties having populations of not less than 14,500 nor more than 14,900.

Also:

H. 1166. To provide for compensation of jurors in Pickens County.

Also:

H. 1165. To provide for the compensation of the deputy sheriffs of Pickens County.

Also:

H. 1164. To fix the compensation and allowance of election officers in Pickens County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1217. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Also:

H. 1212. To amend Section 2 of Act No. 47, H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

Also:

H. 1042. To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

Also:

H. 1044. To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Also:

H. 1197. Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

Also:

H. 1088. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Huntsville in Madison County.

Also:

H. 1190. To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Also:

H. 708. A bill relating to all counties having populations of not less

than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Also:

H. 732. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,500 nor more than 50,000.

Also:

H. 1100. To provide for the establishment and administration of a Retirement System to provide retirement allowances and other benefits for certain employees of the County of Montgomery, Alabama, and ultimately to supersede the existing pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Also:

H. 1099. To amend Act No. 240, H. 627, approved July 29, 1947, (Local Acts of 1947, p. 165) entitled, "An Act to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County but not for the elected officials", to provide for an increase in the pension or retiring allowance authorized by said Act.

Also:

H. 1008. To amend Act No. 165, No. 215, 1965 Special Session, Vol. I, page 216, approved March 30, 1965, relating to counties having a population of not less than one hundred fifty thousand nor more than three hundred thousand, fixing the fee for the issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fee.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1196. To amend Act No. 258, H. 6077, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

Also:

H. 1192. To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

H. 1195. Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

Also:

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide clerk hire allowances for the judge of probate and for the sheriffs in such counties.

Also:

H. 1179. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Also:

H. 1122. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Also:

H. 1121. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

H. 1120. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1208. To alter or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1123. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Also:

H. 1223. Proposing an amendment to the Constitution of Alabama relating to Marengo County, and ordering an election thereon.

Also:

H. 1257. To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

Also:

H. 1051. To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in

the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Meade and Beck:

H. 1552. To amend Section 4 of an act approved June 14, 1949, entitled "An Act to prescribe the duties of the County Superintendent of Education of counties having a population between 16,300 and 17,300; to provide compensation for the performance of such duties; and to authorize travel and expenses pertinent to the duties of said Superintendent."

Local Legislation No. 1.

By Messrs. Meade and Beck:

H. 1553. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

Local Legislation No. 1.

By Mr. Headley (with notice and proof):

H. 1554. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

Local Legislation No. 1.

Notice and Proof H. 1554:

LEGAL NOTICE

STATE OF ALABAMA CHILTON COUNTY

Notice is hereby given that a bill reading substantially as follows will be introduced in the present session of the Legislature of Alabama and that application for its passage will be made:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 11 of Act No. 471 (Acts of Alabama, 1959 Regular Session, pages 1170, et seq.) entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.), be and the same hereby is amended to read as follows:

"Section 11. The levy of taxes herein made shall terminate on September 30, 1995. When the levy of the taxes herein made terminates as provided herein, all the provisions of this Act pertaining to the payment and collection of taxes herein levied, the making of reports and maintaining of records with respect thereto and in general the enforcement of this Act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to such termination date."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the Chilton County News, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in it's issues of: 24 day of July, 1969, 31 day of July, 1969, 7 day of Aug., 1969, 14 day of Aug., 1969.

R. M. BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 18th day of August, 1969.

PLUMA B. MUNCY,
Notary Public.

By Mr. Burgreen (with notice and proof):

H. 1555. To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 1555:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama during the 1969 Session thereof, which bill is in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundaries of the Town of Moulton, Lawrence County, Alabama be and the same are hereby altered, rearranged, extended, enlarged and defined so as to include within the Corporate limits of said Town of Moulton, Alabama all that territory or area of land embraced within the following lines:

I

ALABAMA HIGHWAY 24 WEST

That the Corporate limits of said Town shall extend one mile West of the existing West Corporate boundary of said Town for a distance running 325 feet North and 325 feet South and parallel to the centerline of Alabama Hwy. no. 24.

II

ALABAMA HIGHWAY 33 NORTH

That the Corporate limits of said Town shall extend two miles North of the existing North Corporate boundary of said Town for a distance running 330 feet East and 330 feet West and parallel to the centerline of Alabama Hwy., no. 33.

III

HILLSBORO ROAD

That the Corporate limits of said Town shall extend 4,050 feet, more or less, in a Northeasterly direction beginning at a point on the existing North Corporate boundary 400 feet West of the centerline of the Hillsboro Road and running a distance of 400 feet on the Northwesterly side of and parallel to the centerline of the Hillsboro Road, to the centerline of Alabama Hwy no. 157; thence running along the centerline of Alabama Hwy no. 157 900 feet, more or less, in a Southeasterly direction to

the point where the centerline of said Hwy intersects the existing North Corporate boundary of said Town.

IV

EASTERLY AND SOUTHERLY CORPORATE BOUNDARY EXTENSIONS

Beginning at a point on the East Corporate boundary 360 ft. North-west of the intersection of the centerline of Alabama Hwy. 24, and the East Corporate boundary; Thence running in a Northeasterly direction 360 ft. from and parallel to the centerline of Alabama Hwy. 24, a distance of one mile; Thence Southeasterly to a point 550 ft. Southeast of centerline of Alabama Hwy. 24; Thence run Southwesterly 550 ft. from and parallel to the centerline of Alabama Hwy. 24, to a point 400 ft. East of the centerline of Alabama Hwy. 157; Thence run South-easterly 400 ft. from and parallel to the centerline of Alabama Hwy. 157 to a point 400 ft. North of the centerline of MORGAN Street; Thence run Southeasterly 400 ft. from and parallel to the centerline of MORGAN Street to a point 400 ft. North of the centerline of the intersection of Byler Road and MORGAN street; thence run 300 ft. North to a point 700 ft. North of said intersection; Thence run Easterly 700 ft. from and parallel to County Hwy. 22 a distance of one mile; Thence South to a point 250 ft. South of the centerline of County Hwy. 22; Thence Westerly 250 ft. from and parallel to the centerline of County Hwy. 22 a distance of one mile; thence continuing 250 ft. from and parallel to the centerline of Byler Road to a point 350 ft. East of the centerline of County Road; Thence in a Southerly direction 350 ft. from and parallel to the centerline of County Road a distance of 1,090 ft.; Thence West to a point 350 ft. South of the present South Corporate boundary, being 350 ft. East of the centerline of Pinhook Road; Thence Southerly 350 ft. from and parallel to the centerline of Pinhook Road, a distance of 1,000 ft.; Thence West to a point 350 ft. West of centerline of Pinhook Road; thence run in a Northerly direction 350 ft. from and parallel to Pinhook Road to a point 350 ft. South of the South Corporate boundary; Thence West 350 ft. from and parallel to the South Corporate boundary to a point 360 ft. East of the centerline of Alabama Hwy. 33; Thence in a Southerly direction 360 ft. from and parallel to the centerline of Alabama Hwy. 33, a distance of 4,004 ft.; Thence East 540 ft. to a point; Thence South a distance of 174 ft. to a point; Thence West 540 ft. to a point 360 ft. East of the centerline of Alabama Hwy. 33; Thence in a Southerly direction 360 ft. from and parallel to the centerline of Highway 33, a distance of 8,597 ft. to a point 350 ft. North of the centerline of Hwy. 36; Thence East 350 ft. from and parallel to the centerline of Alabama Hwy. 36, a distance of 3,224 ft. to a point; Thence North a distance of 400 ft. to a point; thence East 470 ft. to a point; Thence South 400 ft. to a point 350 ft. North of the centerline of Alabama Hwy. 33; Thence East 350 ft. from and parallel to the centerline of Alabama Hwy. 36 a distance of 170 ft. to a point; Thence South to a point 350 ft. South of the centerline of Alabama Hwy. 36; Thence West 350 ft. from and parallel to the centerline of Alabama Hwy. 36 a distance of 3,864 ft. to a point 360 ft. East of the centerline of Alabama Hwy. 33; Thence South 360 ft. from and parallel to the centerline of Alabama Hwy. 33, a distance of 1,345 ft.; Thence West to a point 425 ft. West of the centerline of Alabama Hwy. 33; Thence North 425 ft. from and parallel to centerline of Alabama Hwy. 33 to a point a distance of 1,356 ft.; Thence East a distance of 65 ft. to a point 360 ft. West of the centerline of Alabama Hwy. 33; Thence North 360 ft. from and parallel to the centerline of Alabama Hwy. 33 to a point a distance of 8,480 ft.; Thence West 840 ft. to a point; Thence North a distance of 980 ft.; Thence East 250 ft. to a point; Thence North and parallel to the centerline of Alabama Hwy. 33 a distance of 324 ft. to a point; Thence East a dis-

tance of 590 ft. to a point 360 ft. West of the Centerline of Alabama Hwy. 33; Thence North run 360 ft. from and parallel to the centerline of Alabama Hwy. 33 a distance of 2,354 ft. to a point; Thence West a distance of 1,020 ft. to a point; Thence North 1,380 ft. from and parallel to the centerline of Alabama Hwy. 33 a distance of 1,326 ft. to a point on the South Corporate boundary. All Corporate boundaries herein referred to being Corporate boundaries of the Town of Moulton.

SECTION 2. That the boundaries of area of land set out in Section One of this Act be, and the same are hereby established as the Corporate limits of the Town of Moulton, Alabama.

SECTION 3. That all laws or parts of laws in conflict with this Act are hereby expressly repealed, and this Act shall be in full force and effect from the date of its approval by the Governor or otherwise become a law.

STATE OF ALABAMA LAWRENCE COUNTY

I, LeRuth G. Slaton, a Notary Public in and for said State and County, do hereby certify that Arthur Slaton personally appeared before me, and who being by me first duly sworn, deposes and says on oath that he is the owner, editor and publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama; that the above and foregoing notice was published once a week for four consecutive weeks in the Moulton Advertiser, on the following dates: to wit: (7-24-69) (7-31-69) (8-7-69) (8-14-69) and without cost to the State of Alabama.

ARTHUR F. SLATON,
Owner, Editor and Publisher of the Moulton Advertiser.

Sworn to and subscribed before me, on this the 13 day of August, 1969.

LeRUTH G. SLATON,
Notary Public, Lawrence County, Alabama.

4-15-70.

By Mr. Melton:

H. 1556. Relating to all counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, to authorize and provide for an additional expense allowance for the chairman and members of the county governing body.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee:

H. 1557. Relating to counties having populations of not less than 25,700 nor more than 25,900; to provide for the compensation of the chief deputy sheriff and certain other deputy sheriffs in such counties.

Local Legislation No. 1.

By Messrs. Tuck, Williams, Burgreen, Stubbs, Foshee, Jackson (F), Brannan, Owen (Baldwin), Mays and Bassett:

H. 1558. To authorize and provide for the promotion of the production, marketing and use of soybeans and soybean products by research, education, advertising and other methods; authorizing soybean producers to act jointly with handlers, buyers and processors of soybeans and with the State Board of Agriculture and Industries for a promotional program; providing that producers of soybeans may by referendum levy upon

themselves assessments for financing a promotional program and for the collection and expenditure of such assessments; prescribing duties of the Commissioner of Agriculture and Industries, with respect to such a promotional program; and providing for the administration thereof by a nonprofit association; and providing for the collection of assessments by dealers, handlers and other buyers of soybeans; requiring an annual permit of such dealers, processors and other buyers; refund rights of sellers of soybeans; and other administrative, enforcement and penalty provisions.

Agriculture.

By Messrs. Tuck Williams, Burgreen, Stubbs, Foshee, Jackson (F), Brannan, Owen (Baldwin), Mays and Bassett:

H. 1559. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Agriculture.

The above bill was read a first time at length as required by the Constitution.

By Mr. Blanton:

H. 1560. To adopt as the official Alabama Code of laws the recompiled Code of 1958.

Judiciary.

By Mr. Jackson (T):

H. 1561. Relating to wills and administration of estates; providing for the admission of certain evidence as proof of the intent of the testator.

Judiciary.

By Mr. Fine:

H. 1562. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Local Legislation No. 1.

By Messrs. Garrett and Melton:

H. 1563. Relating to the county governing bodies in counties having a population between 22,350 and 24,000.

Local Legislation No. 1.

By Mr. Stubbs (with notice and proof):

H. 1564. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

Local Legislation No. 1.

Notice and Proof H. 1564:

**STATE OF ALABAMA
SHELBY COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, a branch office or other place of business with a certain area within said county.

Be It Enacted by the Legislature of Alabama:

SECTION 1. When permitted by its charter and bylaws, and approved by the State Banking Department, any bank situated in Shelby County shall be authorized to open, establish, operate and maintain a branch bank, branch office or other place of business for the receipt of deposits, payment of checks and conducting a general banking business within the following described area in Shelby County, Alabama, to-wit: said area being bounded on the south by County Highway No. 11; on the east by a line running parallel to and one-half mile east of U. S. Highway No. 280 as the same will be located when the present construction thereon is completed; on the north by the Jefferson County line; and on the west by a line running parallel to and one-half mile west of U. S. Highway No. 31; provided, however, no branch bank shall be established within 5 miles of any presently established bank.

SECTION 2. All laws or parts of laws which conflict with this Act are repealed.

SECTION 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**THE STATE OF ALABAMA
SHELBY COUNTY**

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 24, 31/69, Aug. 7, 14/69.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 15 day of Aug. 1969.

C. M. FOWLER,
Judge of Probate.

By Messrs. Bank and Culver:

H. 1565. To amend Section 5 of the Motor Vehicle Safety-Responsibility Act, in relation to the amount of security required of persons involved in motor vehicle accidents to prevent suspension of their driver's licenses.

Business and Labor.

By Messrs. Bank, Culver, Robertson and Brown (with notice and proof):

H. 1566. To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

Local Legislation No. 1.

Notice and Proof H. 1566:

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 65, S. 97 of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section p. 34) which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, is amended to read as follows:

"Section 1. In all civil, quasi civil, criminal, quasi criminal and equity actions, suits, cases and proceedings hereafter filed in or brought by appeal, certiorari or otherwise to the Circuit Court of Tuscaloosa County, Alabama, there shall be taxed as costs the sum of Three Dollars in each and every action, case, suit and proceeding therein, to be collected as other costs are collected and to be paid to and disbursed by the Clerk of the Circuit Court of Tuscaloosa County, Alabama; provided that in cases appealed from Recorders Courts and in divorce cases where no alimony is awarded and in all civil and equity suits and proceedings where the amount of moneyed judgment or decree including court costs, is for less than Two Hundred Dollars only Two Dollars shall be collected, and in any ancillary proceedings resulting from prior procedure in said Court only One Dollar shall be collected. The sums so collected shall be expended by the clerk of the Circuit Court of Tuscaloosa County by orders of the Presiding judge of such court, for maintaining a Law Library for such Circuit Court and shall be expended only for the employment of, and salary for, a person or persons to act as librarian, for buying law books, furniture and equipment and for other necessary maintenance for the Law Library of the Circuit Court of Tuscaloosa County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, Aug. 1, Aug. 8, and Aug. 15, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me Aug. 15, 1969.

LULLENE DuBOSE,
Notary Public.

By Messrs. Bank, Culver, Robertson and Brown (with notice and proof):

H. 1567. To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Local Legislation No. 1.

Notice and Proof H. 1567:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport are hereby authorized to create The Tuscaloosa County Park and Recreation Authority to serve the County of Tuscaloosa, and the cities therein.

Section 2. Such Authority shall be created when each of the three governing bodies named above shall adopt a resolution signifying their desire that such an Authority be created and fixing the effective date for its coming into existence, and shall file such resolutions in the Office of the Judge of Probate of Tuscaloosa County, Alabama. When such Authority is brought into existence as herein authorized, it shall not be dissolved by the withdrawal of any of the governing bodies therefrom for a period of one year and, thereafter, no such governing body shall withdraw therefrom except at the end of a fiscal year of such Authority.

Section 3. Such authority shall be governed by a board consisting of eight respected citizens of Tuscaloosa County carefully selected for their knowledge and interest in parks and recreation and for their community leadership. Such members shall be appointed as follows.

(a) The governing body of the City of Tuscaloosa shall appoint one member for a one year term, one member for a two year term, and one member for a three year term; and shall thereafter appoint successors to such members for terms of three years.

(b) The governing body of the City of Northport shall appoint one member for a term of three years and shall thereafter appoint his successors to terms of three years.

(c) The governing body of Tuscaloosa County shall appoint one member for a term of one year and one member for a term of three years, and shall thereafter appoint successors to such members for terms of three years.

(d) The Tuscaloosa City Board of Education shall appoint one member for a term of two years and shall thereafter appoint the successors to such member for terms of three years.

(e) The Tuscaloosa County Board of Education shall appoint one member for a term of one year and shall thereafter appoint the successors to such member for terms of three years.

The board shall elect annually from among its own number a chairman who shall vote only in the event of a tie. The board shall adopt rules and regulations covering its policies and procedures, and the use of lands, buildings and facilities under its jurisdiction. No member of the board shall receive any compensation for services rendered as a member of such board. It shall be unlawful for any member of such board to have contractual relations with such board involving the sale or lease of land, personal property, facilities or the performance of services.

Section 4. The board shall appoint a Director of Parks and Recreation and prescribe his duties, qualifications, authority and compensation. The director shall employ any personnel the board deems necessary to carry out the purposes of this act and the director shall prescribe their qualifications, duties, authority and compensation.

Section 5. The board shall direct, supervise, and promote such recreation programs as will contribute to the general welfare of the residents of the county, it shall have control over all lands, buildings, equipment and other facilities purchased or leased by it, or assigned to it for recreational purposes by the county, by the City of Tuscaloosa, by the City of Northport, or otherwise acquired by it.

Section 6. The board is hereby authorized to:

(a) Enter into contracts with and cooperate fully with other local agencies, state agencies and federal agencies for the purpose of maintaining and improving the recreational services and facilities of the county.

(b) Acquire lands, buildings, and facilities for recreational purposes through purchase, lease, gift, or sale;

(c) Accept grants or loans from the federal government, state government, foundations, etc. when such grants or loans are available;

(d) Borrow money for recreational purposes and issue revenue bonds under such terms as may be practicable.

Section 7. The Tuscaloosa Park and Recreation Board, the Northport Park and Recreation Board, heretofore created are hereby abolished upon the creation of Tuscaloosa County Park and Recreation Authority and all buildings, land and facilities hereby controlled by such board and authorities are hereby placed under the control, and shall be main-

tained by, the Tuscaloosa County Park and Recreation Authority; provided, however, that the title to any real property used or controlled by such authority shall be retained by its present owners if so desired; and provided, further, that if any governing body should elect, as hereinabove authorized, to withdraw from such Authority and to withdraw its buildings, lands and facilities from the control of the Authority, nothing herein shall prevent the re-establishment of a City Park and Recreation Board as may be otherwise authorized by law.

Section 8. The governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport shall each appropriate to the authority authorized herein any funds the governing bodies deem advisable to carry out the purposes of this act.

Anticipated revenue of the authority shall be included in the annual budget and all revenue accrued by the authority shall be retained by the authority.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, Aug. 1, Aug. 8, and Aug. 15, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me Aug. 15, 1969.

LULLENE DuBOSE,
Notary Public.

By Messrs. Beck and Meade (with notice and proof):

H. 1568. To change and expand and extend the corporate limits of the Town of Valley Head, DeKalb County, Alabama, and in words and figures substantially as follows:

Local Legislation No. 1.

Notice and Proof H. 1568:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local bill will be presented to the Legislature of Alabama at its next session relating to the changing and expanding and extending the corporate limits of the Town of Valley

Head, DeKalb County, Alabama, and in words and figures substantially as follows:

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the Town of Valley Head, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said Town of Valley Head, Alabama, all territory now within such corporate limits and also certain other territory, which additional territory is described in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That the boundaries set out in Section 1 of this Act be, and the same are hereby established as the corporate limits of said Town of Valley Head, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Valley Head, Alabama.

SECTION 3. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

SECTION 4. That this Act shall go into effect immediately upon its passage and approval by the governor.

Beginning at the Northwest Corner of Section 29, Township 5, Range 10, East of the Huntsville Meridian run East to the Northwest Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section; then turn Southeast and run to the Northwest Corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section, then turn East and go to the NE Corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section. Then turn South and go to the North East Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section, then turn Southwest and go across said $\frac{1}{4}$ to the SW Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section, then turn South and go to the Northeast Corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 5, Range 10 East. Then turn Southwest and go to the Southwest Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section. Then turn South and go to the Northeast Corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Township 6, Range 10 East, then turn Southwest and go across said $\frac{1}{4}$ of the Southwest Corner of said $\frac{1}{4}$. Then turn South and go to the Southeast Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 6, Range 10, East. Then turn Southwest and go to the Southwest Corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, Township 6, Range 9 East, Being the center point of Section 13, then turn Northwest and go along with the City Limits of Fort Payne on a line to the Southwest Corner of Section 12, Township 6, Range 9 Then turn West on Section line and with the Fort Payne City Limits Line and go to the Southwest Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 6, Range 9 East. Then turn Northeast and go to the Northwest Corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 6, Range 9 East. Then turn East and go to the Northeast Corner of said Section 11, then turn Northeast and go to the Northwest Corner of Section 6, Township 6, Range 10 East. Then turn East and go to the Northeast Corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 6, then turn North and go to the Northwest Corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 5, Range 10 East. Then turn East and go to the Northeast Corner of said $\frac{1}{4}$. Then turn North and go to the Northwest Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30, Township 5, Range 10 East. Then turn East and go to the Northeast Corner of said $\frac{1}{4}$. Then turn North and go along the West side of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the Hammondsville City Limits Line, and on North with the Hammondsville City Limit Line to a point on the West side of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section, which is located 1976.3 ft. North of the SW Corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section, and where the Hammondsville City Limits Line turns East. At this point turn East with said Hammondsville City Limits Line and go 734.9 feet. Then turn North with Hammondsville City Limits Line and go 859.0 feet to the North line of

Section 30, Township 5, Range 10 East. Then turn East with Hammondsville City Limits Line and go to point of beginning.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Charles E. Hurley, Gen. Mgr. of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of March 13, 20, 27, April 3, 1969.

CHARLES E. HURLEY,
Gen. Mgr.

Sworn to and subscribed before me this 12th day of April, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

RESOLUTION

The following resolution was introduced:

By Messrs. Turnham and Higginbotham:

H. J. R. 134. WHEREAS, Mr. Jabe Brassell, father of our esteemed brother Representative Bowen Brassell, was instrumental in obtaining federal funds in 1951 for the construction of national guard armories in Alabama; and

WHEREAS, Mr. Jabe Brassell, himself a member of the national guard, labored vigorously to secure passage in this Legislature of the first bill providing for such armories; and

WHEREAS, this eminent Alabamian has been for many years a devoted and conscientious servant of the national guard here in Alabama; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That the national guard armory in Phenix City be named the "Fort Jabe Brassell Armory."

On motion of Mr. Turnham, the rules were suspended and H. J. R. 134 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel, Cooper, Lolley, Harris, McDermott, Torbert, Pelham, Clark, Lindsey, O'Bannan, Jackson, McCarley, Stone, Albea, Givhan, Goodwyn, Giles, Leonard, Radney, Folsom, Carr, Turner, Adams, Oden:

S. J. R. 64. WHEREAS it is the intention of the Legislature to

increase the medical education in the State of Alabama essentially as set forth by the Booz, Allen and Hamilton Report, which was commissioned by the Legislature, and which said Report recommended additional medical education facilities and programs to meet the State's critical need for additional medical personnel by the most economical means possible; and

WHEREAS the Report recommended increased support for the Medical College of Alabama in order to expand the size of each class to 125 students, which will be possible under legislation now pending; and that as soon as possible an additional medical college be established in Mobile under the auspices of the University of South Alabama; and that a two year program of medical education be undertaken by the University of Alabama on the Tuscaloosa campus;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the critical need for additional medical education facilities makes it imperative that the recommendations of the Booz, Allen and Hamilton Report be implemented, and that the University of South Alabama forthwith begin planning of a medical school in Mobile and that the University of Alabama forthwith begin planning for a two year medical school in Tuscaloosa.

BE IT FURTHER RESOLVED, that, wherever appropriate, this planning be done jointly by said institutions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The motion of Mr. Downing to suspend the rules and adopt the S. J. R. 64 set out in the above and foregoing Message from the Senate was lost.

Yeas 36; Nays 36.

Yeas:

Mr. Speaker	Drake	Jones	Owen (Baldwin)
Agee	Edington	Lyons	Paulk
Bassett	Fine	Marr	Perloff
Beck	Garrett	Mays	Slate
Bolton	Graham	Meade	Steagall
Collins (C)	Grainger	Melton	Stembridge
Collins (W)	Grayson	Money	Turnham
Dobbs	Hardin	Nettles	Williams
Downing	Harris	Neville	Wood

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Nays:

Messrs.:	Ellis	Laxson	Pearson
Adwell	Gafford	Lemley	Pruitt
Bank	Gloor	Lybrand	Robertson
Bowers	Higginbotham	Malone	Sessions
Brown	Hill	Manley	Snell
Cherner	Holman	McCorquodale	Tuck
Cook (Jefferson)	House	McDonald	Waggoner
Crane	Jackson (T)	Meeks	Yeilding
Culver	Kilgore	Merrill	Young
Dill			

—36

And the S. J. R. 64 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Albea:

S. 825. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Also:

By Messrs. Goodwyn and Pierce:

S. 843. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Also:

By Messrs. Goodwyn and Pierce:

S. 857. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Also:

By Mr. Folsom:

S. 851. To amend Act No. 160, S. 338 of the Regular Session, 1965 (Acts, Regular Session 1965, p. 228), which relates to director's fees which may be paid to members of the board of directors of certain gas districts.

Also:

By Mr. Giles:

S. 856. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

By Mr. Branyon:

S. 852. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Fayette in Fayette County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in, addition to the area now embraced within such corporate limits of the city, certain land lying and being in Fayette County and more particularly described as follows:

In Township 15, Range 12: The North one-half of the North one-half of Section 29; the East one-half of the East one-half of Section 30; the West one-half of the East one-half and the East one-half of the West one-half of Section 32; and

In Township 16, Range 12: The West one-half of the East one-half and the East one-half of the West one-half of Section 5; and the West one-half of the Northeast Quarter of the Northwest Quarter of Section 8.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 17, July 24, July 31, and August 7, all in the year 1969.

JACK BLACK,
Publisher.

Sworn to and subscribed before me August 7, 1969.

ELOISE F. CHOMLEY.

Also:

By Mr. Branyon:

S. 853. To alter, rearrange and extend the boundary lines and corporate limits of the town of Detroit in Lamar County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAMAR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Detroit in Lamar County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Detroit in Lamar County are hereby altered, rearranged and extended so as to include within the corporate limits of the Town, in addition to the area now embraced within such corporate limits of the Town, a tract of land more particularly described as follows:

The SE $\frac{1}{4}$ -SW $\frac{1}{4}$ and the N $\frac{1}{2}$ -SE $\frac{1}{4}$ of Section 12; the NE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 13, all in T 12 S, R 16 W; also the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ and the W $\frac{1}{2}$ -NE $\frac{1}{4}$ -SW $\frac{1}{4}$ and the E $\frac{1}{2}$ -SW $\frac{1}{4}$ -NW $\frac{1}{4}$ and the W $\frac{1}{2}$ -SE $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 7; the N $\frac{1}{2}$ -NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ and SW $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 18, all in T 12 S, R 15 W.

All of said territory lying and being in Lamar County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rex Rainwater, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

REX RAINWATER.

Sworn to and subscribed before me June 19, 1969.

NELLIE RUTH TAGGART,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 825. Local Legislation No. 4.
- S. 843. Local Legislation No. 4.
- S. 857. Local Legislation No. 4.
- S. 851. Local Government.
- S. 856. Local Legislation No. 4.
- S. 852. Local Legislation No. 1.
- S. 853. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Giles:

S. 859. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of County Commissioners or other like governing body of Madison County, may, in its discretion, appropriate and pay county funds, within the financial means of the county, in such amounts as may seem reasonable and necessary to the commissioners of

other like governing body of Madison County, to volunteer non-profit fire departments or volunteer non-profit corporations or organizations, organized for the purpose of providing volunteer service in case of emergencies arising in Madison County, including but not limited to lost children and drowning victims and otherwise furnishing first aid assistance in emergency situations. Such funds so appropriated shall be used for the purchase of equipment, materials or supplies to be used solely for such volunteer non-profit fire departments or such volunteer non-profit corporations or organizations. Any appropriations so made shall be paid by the county treasury or depository on warrants drawn in such manner as the county governing body may direct.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage or approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Giles:

S. 860. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

By Mr. Nabors:

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Police-men's and Firemen's Retirement fund an amount equal to ten (10%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to five (5%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to wit:

To amend Section 5 of Act No. 226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to ten (10) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to five (5) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

Be It Enacted by the Legislature of Alabama:

SECTION 1: Section 5 of Act No. 226, Acts of Alabama, 1959, Page 765, is hereby amended to read as follows:

Section 5: The policemen's and firemen's retirement fund shall consist of the following, namely: (a) All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden; (b) All moneys or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund; (c) five per cent of the monthly salaries of each member of such police and fire departments; which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said five per cent of such salaries shall be deducted from said salaries paid such members; (d) all reward money paid to any member of such police and fire departments shall be paid by the recipients of the same into said retirement fund promptly upon receipts of the same; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance before any court or grand jury in Etowah County are located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same; (f) the governing body of the city shall cause to be paid into said policemen's and firemen's retirement fund, out of the treasury of such city, an amount equal to ten (10) per cent of the salary of each member of such police and fire departments who contribute to said fund, and such payments shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section; (g) the city clerk shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

Existing funds and property belonging to or part of any existing similar fund now or hereafter governed by the provisions of this Act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law becoming effective.

SECTION 2: Section 13, of Act No. 226, Acts of Alabama, 1959, Page 765, is hereby to read as follows:

Section 13: Except as otherwise provided in this subdivision each member who has been or who hereafter is retired shall receive a retirement benefit equal to fifty per centum of the current salary being paid to persons holding the same rank as such retired member held at the time of his retirement; provided, that the member at the time of his retirement shall have held the same rank or position during the three (3) years (36) months) next preceding his retirement; and provided, further, that if the member has held the rank or position at which he retires for a period less than three (3) years (36) months just before his retirement, that his retirement benefit shall equal fifty (50) per centum of the average monthly salary applicable to the particular position or positions, and rank or ranks held by the member, during the three year period preceding retirement.

SECTION 3: All laws or parts of laws in conflict herewith are hereby repealed.

SECTION 4: This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA

ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Peggy Culberson, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is advertising bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the Gadsden Fire Department, which notice was printed in The Gadsden Times in its regularly circulated editions on July 19, 26, August 1, and August 8, 1969, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 11th day of August, 1969.

PEGGY CULBERSON.

Subscribed and sworn to before me on this the 11th day of August, 1969.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Mr. Nabors:

S. 863. To alter and rearrange the boundaries between the City of Gadsden and the City of Glencoe so as to detach certain territory from the City of Glencoe and annex the same to the City of Gadsden.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:
(No. 3-89:7-16-69)

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries between the City of Gadsden and the City of Glencoe so as to detach certain territory from the City of Glencoe and annex the same to the City of Gadsden.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary line between the City of Gadsden and the City of Glencoe in Etowah County shall be altered and rearranged so as to incorporate within the City of Gadsden the following described territory which now lies within the corporate limits of the city of Glencoe, to-wit:

Lots 58, 59 and 60, Block 6, Meadowgrove Acres as recorded in Plat Book "F", pages 41 and 43 in the office of the Judge of Probate of Etowah County, Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Peggy Culberson, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was advertising bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1969.

PEGGY CULBERSON.

Sworn to and subscribed before me August 11th, 1969.

WALTER BETZ,
Auditor.

Also:

By Mr. Givhan:

S. 864. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Also:

By Mr. Giles:

S. 867. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Madison County and the governing body of the City of Huntsville are hereby authorized to declare by the adoption of appropriate resolution the need for the formation of a public corporation to carry out the provisions of this act. Upon the adoption of

such resolution each such body shall appoint two persons and shall agree upon and appoint a fifth person, each of whom must be a duly qualified elector and property owner in Madison County, Alabama, who shall form the board of directors of such corporation and shall proceed to organize such corporation.

Section 2. The certificate of incorporation of the corporation shall state: the names of the persons forming the corporation, together with the residence of each thereof and a statement that each of them is a duly qualified elector of and property owner in the county; the name of the corporation; the location of its principal office, which shall be in the county seat of the county; and any other matters relating to the corporation which the incorporators may choose to insert and which shall not be inconsistent with this act or with the laws of the state. The name designated for the corporation and the certificate of incorporation shall be one indicating the purpose thereof, such as "Huntsville-Madison County Marina and Port Authority" or some other name of similar import. The certificate of incorporation shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the state to take acknowledgments of deeds, and the certificate of incorporation shall have attached thereto a certified copy of the resolution provided for in Section 1, and a certificate by the Secretary of State that the name proposed for the corporation is not identical with that of any other corporation in the state or so nearly similar thereto as to lead to confusion and uncertainty.

Section 3. The certificates of incorporation with the documents attached shall be filed with the Judge of Probate of the county and the Secretary of State, who shall forthwith receive and record the same. When such certificate is so filed the corporation referred to therein shall come into existence and shall constitute a public body corporate and politic, vested with the rights and powers herein granted.

Section 4. All powers of the corporation shall be exercised by the board of directors or pursuant to its authority. The directors shall be elected by the governing body of Madison County and by the governing body of the City of Huntsville for staggered terms of office as follows: two (2) years for the first appointee of Madison County and five (5) years for the second appointee of Madison County; three (3) years for the first appointee of the City of Huntsville and four (4) years for the second appointee of the City of Huntsville; six (6) years for the appointee named jointly by Madison County and the City of Huntsville; and thereafter the term of office of each director shall be six (6) years. If any director resigns or dies or becomes incapable of acting as a director or ceases to reside in the county or is otherwise disqualified to act, the governing body or bodies having appointed such director shall elect a successor to serve for the unexpired term. Directors shall be eligible for re-election to succeed themselves in office. A majority of the members of the board shall constitute a quorum for the transaction of business. The corporation shall have a president, a vice-president, a secretary and a treasurer, but the office of secretary and treasurer may be held by the same person. All officers shall be elected by the board and shall be members of the board. The members of the board and the officers shall serve without compensation, except that they may be reimbursed for actual expenses incurred in the performance of their duties. All proceedings of the board shall be reduced to writing by the secretary of the corporation and recorded in a well-bound book. Copies of such proceedings when certified by the secretary of the corporation shall be received in all courts as evidence of the matters and things therein certified. The corporation shall make to the governing bodies of Madison County and the City of Huntsville, an annual written report of its activities and of its plans for the future which report shall include a financial operating

statement and balance sheet prepared by the examiner of public accounts for the State of Alabama or by a certified public account.

Section 5. A corporation organized and established under the provisions of this act shall have the following powers:

(a) To adopt bylaws for the regulation of its affairs and the conduct of its business.

(b) To adopt an official seal and alter the same at pleasure.

(c) To maintain a principal office at the county seat and sub-offices at such place or places within the county as it may designate.

(d) To sue and be sued in its own name, excepting actions in tort against the corporation.

(e) To construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas ports, water front facilities, docks, wharves, piers, berths, quays, warehouses, industrial and building sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith.

(f) To own, acquire, maintain and control easements, rights of way, streets, approaches, roads, interests in land, including the fee simple title to real property and riparian rights necessary, useful or convenient in gaining access, entry or approach to waterways, rivers and streams, whether or not navigable and whether or not such easements, rights of way, streets, approaches, roads, interests in land and riparian rights lead to property owned or controlled by the corporation.

(g) To acquire, receive, take and hold, whether by purchase, gift, lease, devise or otherwise, property of every description, whether real, personal or mixed, and to manage the same, and to develop any undeveloped property owned, leased, or controlled by it.

(h) To execute such contracts or other instruments and to take such action as may be necessary or convenient to carry out the purpose of this act or the exercise of any authority or power granted hereunder.

(i) To construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities suitable for use in or on marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites and industrial and factory buildings or for the conduct of any lawful business at, upon, or adjacent to any property owned or controlled by such corporation and to lease or let such buildings, structures and facilities, or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the corporation may require or approve.

(j) To furnish or supply upon any property owned or controlled by the corporation to persons, machines, automobiles, and watercraft thereon, for reward or compensation, goods, commodities, area facilities and services convenient or useful to the owners, operators and users of watercraft, machines and automobiles and to persons upon property owned or controlled by the authority, including, but not limited to, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline motors and watercraft, motor and watercraft parts and equipment, space in buildings, space for buildings and structures and the services of mechanics, instructors and repairmen.

(k) Charge fees for admission to any of its properties.

(l) To borrow money on such terms as are acceptable to the cor-

poration for any corporate purpose and to execute and deliver its promissory note or notes and such other agreements as may be reasonably necessary or required to consummate the loan and secure the payment of the indebtedness.

(m) To appoint, employ, contract with and provide for compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal adviser and such other employees as the business of the corporation may require, including the power to fix working conditions by general rule and other conditions of employment and at its option to provide a system of disability pay, retirement compensation and pensions or any of them and to hire and fire servants, agents, employees and officers at will.

(n) To fix, establish, collect and alter landing fees, docking fees, tolls, rents and other charges for the use of any facility or other property owned or controlled by the corporation.

(o) To make and enforce rules and regulations governing the use of any property or facility owned or controlled by the corporation.

(p) To provide for such insurance, including use and occupancy insurance as the corporation may deem advisable.

(q) To cooperate with the state, any department or agency of the state, any county, municipality or other political subdivision of the state, or with the United States of America or any of its departments or agencies and to make such contracts with such agencies as the board may deem advisable.

(r) To receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any of its facilities or properties from the United states of America or any agency thereof and from the state, any department or agency thereof, and any political subdivision thereof, and from any municipality, and to receive and accept money, property, labor or other things of value from any source whatever.

Section 6. The corporation shall have the power to borrow money and to issue revenue bonds as evidence of any money borrowed, which bonds shall be payable solely from the revenues derived from the activities and enterprises in which the corporation is hereby authorized to engage. As security for any money so borrowed, together with interest thereon, and any obligations incurred or assumed, the corporation in its discretion may mortgage, pledge or otherwise transfer and convey its real, personal and mixed property, or any part or parts thereof, whether then owned or thereafter acquired, including any franchises then owned or thereafter acquired, and all or any part of the revenues derived from the activities or enterprises in which the corporation is hereby authorized to engage.

When the corporation deems it advisable, convenient, necessary or expedient to issue such bonds it shall so resolve and all the provisions of said resolution or mortgage and of such covenants and agreements as it may enter into to secure the issuance of such bonds shall constitute valid and legally binding contracts between the corporation and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforced by any such holder or holders by mandamus or other appropriate action, suit or proceeding at law or in equity in any court of competent jurisdiction. The circuit court of Alabama or any court of competent jurisdiction shall have the authority to appoint a receiver for the properties of the corporation upon the terms and conditions specified in the resolution authorizing the issuance of the bonds or in any mortgage securing the payment of the principal and interest there-

of. Any mortgage given as security for the payment of said bonds may contain such agreements as the corporation shall deem advisable respecting the rights and duties of the parties to such instrument or for the benefit of those to whom such instrument is made, including the right to foreclose or to take possession without foreclosure. Revenue bonds issued under the authority of this section may be in such form and tenor, may bear such rate or rates of interest and have such maturities and redemption privileges as the corporation shall determine.

Such bonds so issued may thereafter, from time to time, be refunded by the issuance or sale or exchange of refunding bonds at such times and in such forms and of such tenor, maturities or rate or rates of interest as may be agreed upon by the authority and the holders of the bonds so refunded if such refunding is by exchange, and as may be determined by the corporation, if such refunding is by sale or refunding bonds. Such borrowing may be evidenced by sale of such bonds either at private or public sale, in such manner and from time to time as may be determined by the corporation to be most advantageous, and the corporation may pay all expenses, premiums and commissions which the authority may deem necessary and advantageous in connection with any such financing. All such bonds shall be regarded as negotiable instruments. All such bonds and all instruments executed as security therefor shall be exempt from all taxation under the laws of the State of Alabama. Neither the county nor any city in which said corporation is located shall in no event be liable for any money so borrowed, nor shall the same be construed to be an indebtedness of or against such county or any city within such county. The bonds provided for herein shall be issued in the name of the corporation appearing in the certificate filed by the probate judge of the county and said bonds shall be executed in such name by the president, attested by the secretary of the board and thereon shall be impressed or printed the corporate seal. Coupons attached to said bonds may be executed solely by impressing or printing thereon the facsimile signature of the chairman.

Section 7. The contracts of the corporation shall be executed in the name of the corporation by the president of the corporation and attested by the secretary of the corporation. Except for bonds it is not required that the seal be impressed or printed on contracts. Its further provided hereby that, except for bonds, the corporation may provide by resolution for a different form for the execution of contracts and for the execution thereof by an officer or agent other than the president and secretary. But in no event shall a contract, irrespective of the form and of the person executing the same, be binding unless such contract was authorized or ratified by the corporation.

Section 8. Madison County or the City of Huntsville, or any city within the county, is authorized, but not required, to lease, sell, donate or otherwise convey to the corporation, real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of said county, or any city within the county, and the governing body of said county or any city within the county, is hereby authorized to enter into any agreements which such corporation may deem necessary in order to effectuate such lease, sale, donation, or transfer. The county, the City of Huntsville, or any city within the county, is further authorized to covenant with the corporation, which covenant shall likewise constitute a contract with the holders of any revenue bonds, notes or other obligations thereafter issued by the corporation, that it will not acquire, construct or operate or permit the acquisition, construction or operation within the city or county, of any facility in competition with the corporation so long as any of the bonds, notes or other obligation of the corporation shall remain outstanding.

Section 9. No debt, obligation or liability contracted or incurred

by the corporation or by any director, officer, employee or agent of the corporation shall be a debt, obligation or liability of the State of Alabama, or of any city, town, county or political subdivision of the State of Alabama.

Section 10. All property of the corporation shall be exempt from state, county and city taxation; and the corporation shall be exempt from license or privilege licenses levied by the state, county or city upon the business or activities conducted or engaged in by said corporation; provided, however, this exemption shall not be construed to exempt concessionaires or lessees of the authority from the payment of any taxes, including licenses, privileges, or sales taxes levied by the state, county or city.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of law which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Giles:

S. 868. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section four of Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965 p. 243, which act amended Act No. 124, S. 28, Acts of Alabama 1961, p. 2047, which said act amended Act No. 658, H. 1030, approved November 21, 1959, Act of Alabama p. 1542, is further amended to read as follows: "Section 4. The revenue collected from the tax hereby levied, less the cost of collection, including any discount allowed on the sale of stamps, shall be distributed as follows: fifty per cent (50 per cent) thereof shall be paid over to the City of Huntsville; forty-five and one-half (45½ per cent) per cent thereof shall be paid over to the Board of Education of Madison County to be used for public school purposes; one per cent (1 per cent) thereof shall be paid over to the City of New Hope; one per cent (1 per cent) thereof shall be paid over to the City of Gurley; one per cent (1 per cent) thereof shall be paid over to the City of Owens Cross Roads; one per cent (1 per cent) thereof shall be paid over to the City of Madison; one-half of one per cent (½ of 1 per cent) thereof shall be paid over to the city of Triana.

Section 2. This act shall take effect on the first of the month next following the date of its enactment.

Section 3. This act shall not affect the distribution of revenue collected prior to the effective date of the act.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Giles:

S. 869. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. II p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section three of act number 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama Special Session 1966, is hereby further amended to read as follows:

"Section 3. Each deputy circuit solicitor of the twenty-third Judicial Circuit shall be paid by the State of Alabama, an annual salary of Forty-two Hundred (\$4200.00) Dollars payable as the salaries of other state officers are paid. The exact amonut of the compensation of each deputy circuit solicitor shall be determined by the circuit solicitor of the Twenty-third Judicial Circuit but such compensation shall be determined by him in accordance with the following table and criteria. There is hereby established a pay table with the grade level and step pay increases within each grade level as follows:

LEVEL	STEP				
	1	2	3	4	5
1	7,800	8,575	9,350	10,125	10,900
2	9,350	10,125	10,900	11,675	12,450
3	10,900	11,675	12,450	13,225	14,000

(a) The Circuit Solicitor for the Twenty-third Judicial Circuit is authorized to hire entry deputy circuit solicitors without prior applicable legal experience at Level One Step One, and to increase their compensation to that set forth in Level One, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor. Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments within the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(b) The said Circuit Solicitor is authorized to hire deputy circuit solicitors with a minimum of two (2) years of applicable legal experience at Level Two, Step One and to increase the compensation for such deputy circuit solicitor to that set forth in Level Two, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments within the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(c) The said circuit solicitor is authorized to hire deputy circuit solicitors with four (4) years of applicable legal experience at Level Three, Step One and to increase the compensation to that set forth in Level Three, Step Two at the termination of six (6) months of such employment provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor. Thereafter increases in compensation for such deputy circuit solicitor shall be made annually at the rate of one step increments within the grade level provided the performance of such deputy circuit solicitor has been satisfactory to the circuit solicitor.

(d) Promotions may be made when a position is vacant and authorized and an incumbent shall be considered qualified if such incumbent has a minimum of two years of applicable legal experience and has performed satisfactory while an incumbent. An incumbent so qualified may be promoted to Level Two and an incumbent shall be considered qualified for promotion if he has a minimum of four (4) years of applicable legal experience and has performed satisfactory while an incumbent. An incumbent so qualified may be promoted to Level three.

(e) Upon promotion to a new level an incumbent shall be placed at one step lower in his new level than the level he was in at the time of the promotion so as to give the incumbent the equivalent of a one step increase in the level from which he was promoted.

Section 2. In the hiring of deputy circuit solicitors and in raising their compensation, the circuit solicitor shall conform to and remain within the limits of the budget for his office as adopted by the governing body of Madison County for each fiscal year unless prior approval for a modification of such budget is approved by such governing body within the fiscal year.

Section 3. In the event the governing body of Madison County shall hereafter adopt a merit system for any of the employees of the county affected by this act, then this act shall become ineffective as of the time of the adoption of said merit system by the county governing body.

Section 4. The designation "Circuit Solicitor" shall include the designation "District Attorney" where each such designation appears herein.

Section 5. All laws or parts of law which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 26, August 1, 6 and 11, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 11 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Giles:

S. 870. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

By Mr. Leonard:

S. 871. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; to authorize the county governing body of each such county to provide for the payment of certain expenses heretofore incurred by certain county officers of the county and to validate certain payments heretofore made by such county governing bodies.

Also:

By Mr. Stone:

S. 873. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

Also:

By Mr. Lindsey:

S. 877. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

By Mr. Lindsey:

S. 878. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and

foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 859. Local Legislation No. 4.
- S. 860. Local Legislation No. 4.
- S. 862. Local Legislation No. 1.
- S. 863. Local Legislation No. 1.
- S. 864. Local Legislation No. 1.
- S. 867. Local Legislation No. 4.
- S. 868. Local Legislation No. 4.
- S. 869. Judiciary.
- S. 870. Local Legislation No. 4.
- S. 871. Local Legislation No. 1.
- S. 873. Local Legislation No. 1.
- S. 877. Local Legislation No. 1.
- S. 878. Local Legislation No. 1.

MOTION TO RECONSIDER S. J. R. 64

Having voted with the prevailing side, Mr. Bank moved to reconsider the vote by which the S. J. R. 64 failed to suspend the rules, and the motion was adopted.

On motion of Mr. Marr, the rules were suspended and the S. J. R. 64 was adopted.

REPORT OF THE STANDING COMMITTEES ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1294. Relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McCarley:

S. 770. To create the office of warrant clerk and deputy warrant clerks in all counties having populations of not less than 31,500 nor more than 32,200 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

Also:

By Mr. Carr:

S. 875. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

Also:

By Messrs. Harris and Oden:

S. 850. To propose an amendment to the Constitution of Alabama, relating to the levying and collection of special property tax for general health purposes in the counties of Lawrence, Limestone and Morgan, Alabama.

Also:

By Mr. Radney:

S. 855. To alter and rearrange the boundary lines of the Town of Newsite, Alabama, so as to include within the corporate limits of the Town of Newsite, Alabama, all territory now within such corporate limits and also certain other territory.

With notice and proof thereto attached and herewith exhibited as follows:

A Bill Substantially as Follows Will Be Introduced in the Alabama Legislature.

AN ACT

To alter and rearrange the boundary lines of the Town of Newsite, Alabama, so as to include within the corporate limits of the Town of Newsite, Alabama, all territory now within such corporate limits and also certain other territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act, the boundary lines of the Town of Newsite, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of the said Town of Newsite, Alabama, in addition to the territory included within its present corporate limits certain territory more particularly described as follows:

Sections 28, 29, 30, 31, 32, and 33, Township 24 N, Range 23 E, Tallapoosa County, Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 17, 1969, and ending with the issue dated August 7, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 7th day of August, 1969.

VONCILLE M. DEAN,
Notary Public.

My Commission Expires January 18, 1971.

Also:

By Mr. Harris:

S. 874. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur, in Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur, in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Decatur in Morgan County, are hereby altered, rearranged and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory, situated in Morgan County, Alabama:

Beginning at the Southwest corner of Section 27, Township 5 South, Range 4 West, Morgan County, Alabama, TVA Property Marker No. 181, and running North along the West margin of said Section 27, a distance of 998.99 feet to TVA Property Marker No. 71; thence turning an angle of 89 degrees 43' measured counterclockwise from back tangent and running Easterly along the South margin of the Replat of Blocks 1 to 9 inclusive Pennyacres Subdivision Addition No. 4, as shown by Plat of

Record in the Office of Judge of Probate of Morgan County, Alabama, for a distance of 885.24 feet to a point, said point being the SE corner of said Replat of Pennyacres Subdivision, Addition No. 4, the true point of beginning; thence turning an angle of 90 degrees 03' 20" measured clockwise from back tangent and running Northerly along the East margin of said Replat of Pennyacres Subdivision, Addition No. 4, a distance of 245.55 feet to a point 45 feet North of the centerline of Greenwood Drive, said point being the North right-of-way line of a 90 foot right-of-way for the proposed extension of Greenwood Drive; thence turning an angle of 90 degrees measured counterclockwise from back tangent, and running S 89 degrees 00' 20" E along the North right-of-way line of said 90 foot right-of-way a distance of 597.7 feet to the PC of a 2,247.01 foot radius curve, said curve having a central angle of 38 degrees 48' 40"; thence Northeasterly along the North right-of-way line of said curve as it curves to the left an arc distance of 1,522.09 feet to the PT of said curve; thence running N 52 degrees 11' E 295.88 feet to a point; thence running N 7 degrees 11' E a distance of 99.97 feet to a point on the Southerly right-of-way line of a 180 foot right-of-way for the proposed extension of 8th Street, S. E.; thence N 37 degrees 49' W along the South right-of-way of said 180 foot wide right-of-way 1,314.9 feet to the PT of a 5,639.65 foot radius curve, said curve having a central angle of 29 degrees 55'; thence running Northwesterly along said 5,639.65 foot radius curve as it curves to the left an arc distance of 2,944.71 feet to the PC of said curve; thence N 67 degrees 44' W, 1,349.32 feet along the South right-of-way line of said 180 foot right-of-way to its intersection with the East right-of-way line of 24th Avenue, S. E., said point being 32.36 feet South of the intersection of said East right-of-way line of 24th Avenue, S. E., and the South right-of-way line of 8th Street, S. E.; thence North along the East right-of-way line of 24th Avenue, S. E., 32.36 feet to its intersection with the South right-of-way line of 8th Street, S. E.; thence S 88 degrees 46' E, 804.20 feet along the South right-of-way line of 8th Street, S. E., and said right-of-way if extended to a point; thence turning an angle of 89 degrees 37' 30" measured clockwise from back tangent and running N 0 degrees 51' 30" E parallel to the West margin of Climatrol Industries, Inc. (Worthington Corporation) Property a distance of 650.3 feet to a point; thence turning an angle of 218 degrees 15' measured clockwise from back tangent and running N 39 degrees 06' 30" E 140.88 feet to a point; thence turning an angle of 218 degrees 15' measured clockwise from back tangent and running N 77 degrees 21' 30" E 1,128.5 feet to a point; thence turning an angle of 191 degrees 00' measured clockwise from back tangent and running N 88 degrees 21' 30" E, 50 feet, more or less, to a point on the 556.3 foot contour elevation on the South bank of a drainage ditch; thence due East 1,600 feet, more or less, to an intersection with a line 75 feet Southeast of and parallel to the surveyed centerline of the Wilson Dam-Huntsville Transmission Line; thence with the line that is 75 feet Southeast of and parallel to the surveyed centerline of said Transmission Line, North 32 degrees E, 400 feet, more or less, to a point on the original left bank of the Tennessee River; thence with a line approximating the original left bank of the Tennessee River South 56 degrees E, 4,310 feet, more or less, to a point on the centerline of the original channel of Flint Creek; thence with the centerline of the original channel of the creek as it meanders upstream approximately 13,000 feet to a point on the West line of the East ½ of the West ½ of Section 34, Township 5 South, Range 4 West; thence North 0 degrees 45' W, 2,575 feet, more or less, to a point; said point being TVA Monument 183; thence North 0 degrees 43' 35" E, 998 feet to a point, said point being TVA Monument No. 70; thence turning an angle of 90 degrees 12' 45" measured clockwise from back tangent and running North 89 degrees 03' 40" W, 448.75 feet to the Southeast corner of the Replat of Lots 1 through 9 of Pennyacres Subdivision Addition No. 4, as shown by plat of record in the Office of Judge of Probate of Morgan County, Alabama, said point being the true point of beginning.

Less and except:

A tract of land containing 21.4 acres lying in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 27, and in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, Township 5 South, Range 4 West, Morgan County, Alabama, described as follows:

Beginning at the SW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, said point being T. V. A. Property Marker No. 63; thence running westerly along the south margin of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Section 27 a distance of 1337.09 feet to a point on the SW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, said point being T. V. A. Property Marker No. 62; thence turning an angle of 90 degrees 22' 12" measured counterclockwise from back tangent and running northerly 661.7 feet to a point on the NW corner of the NE $\frac{1}{4}$ to the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, said point being T. V. A. Property Marker No. 61; thence turning an angle of 89 degrees 49' 45" measured counterclockwise from back tangent and running east along the north margin of said Section 27 a distance of 511.24 feet to a concrete marker at a point on the 556.3 foot contour line on the west bank of Black Branch, an embayment of Wheeler Lake; thence following said 556.3 foot contour line as it meanders in a southwesterly direction along the westerly bank of Black Branch a distance of 880 feet, more or less, to a point on the south margin of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27; thence running easterly along the south margin of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27 a distance of 20 feet, more or less, to a point on the 556.3 foot contour line on the easterly bank of Black Branch; thence following said 556.3 foot contour line as it meanders in a northeasterly direction along the easterly bank of said Black Branch a distance of 1190 feet, more or less, to a concrete marker at a point on the north margin of Section 27, said point being 926.5 feet east of T. V. A. Property Marker No. 61; thence continuing northeasterly along said 556.3 foot contour line as it meanders northeasterly, then easterly, then southeasterly, a distance of 250 feet, more or less, to a concrete marker at a point on the south margin of Section 22, said point being 1136 feet east of T. V. A. Property Marker No. 61; thence following said 556.3 foot contour line as it meanders in a southeasterly direction 1100 feet, more or less, to a point on the south margin of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27; thence running westerly along the south margin of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27 a distance of 227 feet, more or less, to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Samuel D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on July 17th, July 24th, July 31st, and August 7th, all in the year 1969.

SAMUEL D. NETTLES,

Sworn to and subscribed before me August 8th, 1969.

R. H. JERVIS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 770. Local Legislation No. 1.

S. 875. Local Legislation No. 1.

SENATE MESSAGE

S. 850. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 855. Local Legislation No. 1.

S. 874. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Leonard:

S. 822. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Also:

By Mr. Folsom:

S. 831. To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts

to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966.

Also:

By Mr. Branyon:

S. 832. To regulate the compensation of jurors in counties having populations of not less than 15,500 nor more than 16,300.

Also:

By Mr. Branyon:

S. 833. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Also:

By Mr. Branyon:

S. 834. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Also:

By Mr. Branyon:

S. 836. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Also:

By Mr. Branyon:

S. 837. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Also:

By Mr. Branyon:

S. 835. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Also:

By Mr. Radney:

S. 828. Relating to counties having populations of not less than 26,000 nor more than 27,000; providing further for the compensation and allowance of the superintendent of education of any such county;

and to validate payment of compensation and allowances received by such superintendent of education prior to the effective date of this Act.

Also:

By Mr. Oden:

S. 841. Relating to law enforcement in all counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

By Messrs. Goodwyn and Pierce:

S. 840. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

From the northwest corner of Section 5, T15N, R18E, Montgomery County, Alabama; thence south 01 degrees 46' E along the west line of said Section 5 a distance of 541.85 feet to the point of beginning; thence N- 88 degrees 00' E along a line parallel to the north line of said Section 5 to the southwest corner of Lot 2 Block E of the Plat of Seth Johnson Extension, Plat No. 1, as filed for record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 20 on Page 122; thence southeasterly along the south line of said Lot 2 to the northwest corner of Lot 3 Block E of said Plat No. 1; thence easterly along the north line of said Lot 3 to the northeast corner thereof; thence northeasterly across Falcon Lane to the southwest corner of Lot 19 Block C of said Plat No. 1; thence east along the south line of Lots 19, 18, 17, 16, 15, and 14, Block C of said Plat No. 1 to the southeast corner of said Lot 14; thence north along the east line of said Lot 14 to the southwest corner of Lot 13,

Block C of said Plat No. 1; thence northeasterly along the south line of said Lot 13 to the southeast corner thereof; thence north along the east line of said Lot 13 to the south line of Woodbridge Drive; thence east along the south line of Woodbridge Drive to a point on the southerly extension of the east line of Lot 5 Block A of said Plat No. 1; thence north along the southerly extension and east line of said Lot 5 to the northeast corner of said Plat of Seth Johnson Estates Extension, Plat No. 1; thence east along the easterly extension of the north line of said Plat No. 1 to the westerly right of way line of Narrow Lane Road; thence southerly along the easterly right of way of Narrow Lane Road to the south line of the north one-half of the north one-half of said Section 5; thence westerly along the south line of the north one-half of the north one-half of said Section 5 to the west line of said Section 5; thence northerly along the west line of said Section 5 to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law."

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald a Notary Public in and for said County in said State, personally appeared Guyton Parks who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: July 11, 18, 24 & 31, 1969.

GUYTON L. PARKS.

Sworn to and subscribed before me this the 1st day of August, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Carr:

S. 802. To provide for an election to be held to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway department; and providing for the reorganization of the Marshall County Commission on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR AN ELECTION TO BE HELD to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway department; and providing for the reorganization of the Marshall County Commission on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

Section 1. The state highway department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Marshall County.

Section 2. The county governing body of Marshall County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

a) to levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the state;

b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the state highway department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the state;

c) To determine, subject to the approval of the state highway department, the location of new roads and bridges within the county which may be established as an addition to the presently existing county road system of Marshall County;

d) To exercise, subject to the approval of the state highway department, the right of eminent domain for the purpose of acquiring rights of way for establishing and changing county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Marshall County shall have no authority:

a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads or bridges;

c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Marshall County and all officials of the county shall transfer and turn over to the state highway department all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges.

Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Marshall County shall pay over to the state highway department all funds collected or received as taxes, including the motor vehicle license tax allocated to the county, or otherwise by them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads and bridges. Such funds shall be maintained separately by the state highway department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Marshall County subject to the provisions of this Act.

Section 5. All persons employed by Marshall County in the construction, maintenance and repair of county roads and bridges as of the effective date of this Act, whose compensation is paid entirely by the county, shall continue to be employed by the state highway department in the county and be brought under and be covered by the state merit system law without examination at no less than their salary on that date, and they shall not be discharged nor their salary decreased or increased except in accordance with the regulations of the state merit system law. All other persons employed by the highway department in connection with the administration of this Act shall be subject to the state merit system law, provided, however, that the resident engineer shall reside and have his office, headquarters, shop, barn, warehouse, or base of operations in the county seat of Marshall County.

Section 6. After the effective date of this Act, the state highway department shall pay all of the outstanding financial obligations of Marshall County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the highway department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Marshall County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) hereof in the event the funds paid over to the state highway department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the highway department.

Section 7. The state highway department shall construct, maintain and repair the county roads and bridges of Marshall County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Marshall County for road and bridge work from any source whatsoever. The state highway department shall retain, and the appropriate state official is authorized to pay over to it any funds or amounts to which Marshall County shall be entitled from the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the state highway department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Marshall County is entitled, received by the state highway department for road work in Marshall County, shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. At the time the governing body of the county transfers to the highway department county-owned road equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the county and by the department, and in the event this Act is repealed or becomes inoperative, the department

shall return to the county, road equipment, machinery, and supplies of the kind and equal value.

Section 9. The commission on government and finance of Marshall County created by Act No. 294, H. 802, Regular Session 1963, (Acts 1963, p. 755) is abolished, and in lieu thereof there is hereby restored and reestablished in Marshall County a court of record styled the county commission of Marshall County, which shall be composed of the judge of probate as chairman, and four commissioners who shall be elected as hereinafter provided. Commissioners shall be elected at the general election in 1970 and shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 10. One county commissioner shall be elected by the voters of the county from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Marshall County. A candidate for county commissioner must be a qualified elector and legal resident of the district he seeks to represent and shall continue to reside therein during his continuance in office.

Section 11. The present four associate members of the commission on government and finance of Marshall County shall serve as county commissioners of the county commission of Marshall County until their successors are elected and qualified as herein provided.

Section 12. Each member of the county commission shall receive thirty dollars for each meeting of such governing body which he attends, not to exceed one hundred twenty dollars per month, and actual expenses for any necessary travel within the State of Alabama on official county business. Such compensation shall be in lieu of all salaries, allowances and motor vehicles heretofore provided by law for such members. The probate judge shall be entitled to and receive two hundred dollars per month additional compensation for his duties as chairman of such governing body. He shall employ a chief clerk or accountant who shall keep a complete record of all receipts and disbursements of county funds, and must be prepared at all times to show the exact financial condition of the county. Compensation of such chief clerk or accountant shall be paid from the allowance heretofore provided the Marshall County commission on government and finance for the purposes of hiring clerks and other assistants.

Section 13. Except as otherwise provided in this Act, the county commission of Marshall County shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this State, or vested in the governing body of Marshall County by local law; and the members of the county commission shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this state for members of courts of county commissioners, county commissions, boards of revenue, or like county governing bodies, or for the members of the governing body of Marshall County by local law.

Section 14. All laws or parts of laws in conflict with the Act are hereby repealed.

Section 15. The provisions of this Act are hereby declared to be severable in nature and shall any Section or other portion thereof be declared unconstitutional, or invalid, such adjudication shall not affect the portion, or portions, of said Act remaining.

Section 16. This Act shall be inoperative and void unless it shall

have been approved by a majority of the qualified electors of Marshall County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be, in the same way as elections on amendments to the Constitution and shall be held on the same day as the next general election following final passage of this Act. Notice of the election shall be given by the judge of probate of Marshall County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated as follows:

"Do you favor the local law authorizing the state highway department to assume responsibility for the construction, maintenance and repair of county roads and bridges and the recreating of a commission form of government in lieu of the commission as presently constituted? Yes () No ()."

If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of Marshall County shall certify the results of the election to the secretary of state and to the state highway director immediately after the returns have been certified.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jesse A. Culp, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, 1969, July 8, 1969, July 15, 1969, and July 22, 1969, all in the year 1969.

JESSE A. CULP.

Sworn to and subscribed before me August 4, 1969.

MIRIAM BREASEALE,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 822. Local Legislation No. 1.
- S. 831. Local Legislation No. 1.
- S. 832. Local Legislation No. 1.
- S. 833. Local Legislation No. 1.
- S. 834. Local Legislation No. 1.

- S. 836. Local Legislation No. 1.
- S. 837. Local Legislation No. 1.
- S. 835. Local Legislation No. 1.
- S. 828. Local Legislation No. 1.
- S. 841. Local Legislation No. 1.
- S. 840. Local Legislation No. 4.
- S. 802. Local Legislation No. 1.

MOTION TO RECONSIDER H. 847

Having voted on the prevailing side by which the Executive Amendment to the bill, H. 847, was passed, Mr. Tuck moved to reconsider.

And the motion was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Fine	Jones	Pearson
Bank	Foshee	Kilgore	Pennington
Bassett	Garrett	Laxson	Pruitt
Blanton	Gloor	Lemley	Shumate
Bowers	Grainger	Lybrand	Slate
Brannan	Grayson	Malone	Smith
Brassell	Hain	Manley	Snell
Collier	Hardin	Mays	Springer
Collins (C)	Headley	McCorquodale	Stubbs
Culver	Hill	McDonald	Tuck
Doss	Holladay	McLain	Williams
Downing	Holman	Melton	Wright
Edington	Jackson (F)	Merrill	Yeilding
Ellis	Jackson (T)	Owen (Baldwin)	Young

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MOTION TO INDEFINITELY POSTPONE EXECUTIVE AMENDMENT

On motion of Mr. Tuck, the Executive Amendment to the bill was indefinitely postponed.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 847 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which this bill originated, House Bill 847 with a suggested executive amendment, as follows:

In Section 1 of said bill strike out the period at the end of the first sentence and substitute in lieu thereof the following:

“, each member of the board of revenue, court of county commissioners or like county governing body shall be entitled to be reimbursed for the actual amount of reasonable expenses incurred when travelling outside the county in connection with his official duties or in attending meetings of associations of county commissioners or like associations of county officials charged with duties similar to the duties of such county governing body.”

This amendment has been discussed with the sponsor of this legislation and it is at his request that this Executive Amendment is made.

If the above amendment is adopted, it will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

August 19, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Tuck, the House concurred in and adopted the amendment #2 proposed by His Excellency, the Governor, to the bill, H. 847, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pruitt
Agee	Fine	Laxson	Sessions
Bank	Foshee	Lemley	Shumate
Bassett	Gafford	Lyons	Slate
Blanton	Grainger	Manley	Smith
Brannan	Grayson	Marr	Snell
Brassell	Hain	Mathews	Springer
Burgess	Hardin	Mays	Steagall
Cameron	Headley	McCorquodale	Stembridge
Collier	Hill	McLain	Stubbs
Collins (C)	Hobbie	Merrill	Tuck
Collins (W)	Holladay	Nettles	Williams
Crawford	Holman	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Pearson	Young
Edington	Jones		

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Which was a majority of the whole number elected to the House.

And said bill:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500

nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pruitt
Agee	Fine	Laxson	Sessions
Bank	Foshee	Lemley	Shumate
Bassett	Gafford	Lyons	Slate
Blanton	Grainger	Manley	Smith
Brannan	Grayson	Marr	Snell
Brassell	Hain	Mathews	Springer
Burgess	Hardin	Mays	Steagall
Cameron	Headley	McCorquodale	Stembridge
Collier	Hill	McLain	Stubbs
Collins (C)	Hobbie	Merrill	Tuck
Collins (W)	Holladay	Nettles	Williams
Crawford	Holman	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Pearson	Young
Edington	Jones		

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Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Torbert:

S. 774. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 774. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McCarley:

S. 726. Relating to all counties having populations of not less than

18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

Also:

By Mr. Givhan:

S. 892. Relating to counties having populations of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; and providing for direct distribution to certain municipalities within such counties of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Also:

By Mr. Lindsey:

S. 890. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

Also:

By Mr. McCarley:

S. 879. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to appropriate certain funds for public buildings and furnishings.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 726. Local Legislation No. 1.

S. 892. Local Legislation No. 1.

S. 890. Local Legislation No. 1.

S. 879. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwyn, Pierce and Pelham:

S. J. R. 87. WHEREAS the Lurleen B. Wallace Cancer Hospital Fund, Inc. is developing a co-ordinated cancer control and treatment program within Alabama, and

WHEREAS such an effort must be certain of adequate contact and

cooperation with health agencies and programs already in existence if efforts in cancer control are to prove effective, and

WHEREAS there presently exists no means by which all such efforts in the field of cancer control might be co-ordinated, and

WHEREAS it is the sense of the House and Senate of Alabama in the Legislature Assembled that the Lurleen B. Wallace Cancer Hospital Fund, Inc. be fully supported, now

THEREFORE BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

(1) That all efforts and means should be used by the various agencies and departments of the government of the State of Alabama to co-ordinate effort toward the control, detection, treatment of cancer, education and research related thereto, as well as comprehensive functional plans, management, and location of pertinent physical facilities and the use of federal and foundation funds for such purpose in an optimum manner, and

(2) That the Governor of Alabama is urged to establish by executive order an ad hoc committee for comprehensive cancer control in Alabama such committee to consist of the Director of the Bureau of Health Facilities Construction of the State Department of Health; the Director of the Office of Comprehensive Health Planning of the State Health Department, the Chairman of the Board of Censors of the Alabama Medical Association; the Director of the Lurleen B. Wallace Cancer Hospital Fund, Inc., Chairman; the Director of the Bureau of Preventable Diseases of the State Department of Health, the State Finance Director (who shall be the representative of the Governor); a representative of the Alabama Regional Medical Program; the President of the Senate; Speaker of the House; and the Governor's representative to the Appalachian Regional Commission, for the purpose of effectuating the above for the general well being of the people of Alabama, and

(3) That said ad hoc committee meet within two weeks of its formation and elect any other necessary officers, and determine all procedures of operation, and

(4) That said ad hoc committee shall do all within its power to enlist local governments and their agencies within each of the seven medical regions in the effort to build regional cancer detection units.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 87 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Pierce:

S. 780. To further amend Section 54 of Title 45, Code of Alabama 1940, as amended, by providing that a state convict upon being dis-

charged may choose to receive suitable clothing or cash equivalent to same; to delete therefrom any provisions about county convicts; to repeal all laws in conflict.

Also:

By Mr. Radney:

S. 71. To amend Title 52, § 136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Also:

By Mr. Radney:

S. 72. To amend Title 52, § 197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Also:

By Mr. McDermott:

S. 821. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing an expense allowance for the director of the personnel department in any such county.

Also:

By Messrs. Skidmore, Leonard, McCarley, Goodwyn, Folsom, Givhan, Harris, Lindsey, Giles, Torbert and Clark:

S. 517. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Also:

By Messrs. Jackson and Goodwyn:

S. 866. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 780. Judiciary.

S. 71. Education.

S. 72. Education.

S. 821. Local Legislation No. 3.

S. 517. Judiciary.

S. 866. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Bailes, Morrow and Vacca:

S. 563. To provide that certain communications between clergymen and their communicants shall be privileged; defining terms; and providing for the application of this act.

Also:

By Mr. Turner:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

Also:

By Messrs. Engel, Cooper and Lolley:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

Also:

By Mr. Givhan:

S. 769. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 563. Judiciary.

S. 528. Ways and Means.

S. 369. Education.

S. 769. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 512. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Lee County exclusive of Auburn and Opelika.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Higginbotham, the House concurred in and adopted the Senate amendment to the bill, H. 512, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To propose and provide for the submission of an Amendment to the Constitution of Alabama empowering the levy in the school district comprising all the territory of Lee County outside of the cities of Auburn and Opelika of a special annual ad valorem tax at the rate of 50¢ on each \$100 of the assessed valuation of the taxable property in the said district for public school purposes therein upon authorization by the electors of the said district as herein provided.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

In addition to all other taxes now or hereafter authorized, the governing body of Lee County, in the State of Alabama, is authorized to levy, in the school district of the said county that comprises all of the territory of the said county outside of the corporate limits of the cities of Auburn and Opelika, a special district tax at a rate not exceeding 50¢ on each \$100 of the valuation of the taxable property in the said district as assessed for state taxation; provided, that no such tax shall be levied hereunder unless the rate of the said tax, the time it is to continue, and the purpose thereof shall have been first submitted to the vote of the qualified electors of the said district and voted for by a majority of those voting in such election; provided, further, that if a majority of the qualified electors of the said district participating in the election on the adoption of this amendment shall vote for the adoption thereof, then the approval of this amendment expressed by the said vote in favor of its adoption shall of itself authorize the levy of the said tax, without an additional election, for a period of thirty consecutive years commencing with the levy for the tax year beginning October 1, 1969. Each election on the levy of the said tax held subsequent to the ratification of this amendment shall be called, held, conducted and canvassed, and notice thereof shall be given, in the manner and within the time provided by the then existing general laws of Alabama pertaining to elections on the levy of district school taxes under the provisions of Amendment III to the Constitution, except that the holding of any such election in the said district or the collection of the said tax therein shall not be dependent upon the levy and collection of any other tax, including specifically the three-mill special county school tax provided for in the said Amend-

ment III. If the majority of the qualified electors of the said district participating in the election on the adoption of this amendment should not vote in favor of the adoption of this amendment, or if the majority of the qualified electors of the said district voting at any election called by the governing body of Lee County under the provisions of this amendment should not vote in favor of the levy of the said tax proposed at the election so called, the governing body of Lee County may from time to time call other elections hereunder on the levy of the said tax, but not more than one such election shall be held during any period of twelve consecutive months.

Nothing contained in this amendment shall be construed to authorize the levy of an additional tax on any property within the corporate limits of either the City of Auburn or the City of Opelika.

Section 2. An election upon the proposed amendment is hereby ordered to be held on the first Tuesday following the expiration of three months after the final adjournment of the current session of the Legislature of Alabama. At the said election all qualified electors of the state shall be entitled to vote on the said proposed amendment, and on the official ballot provided for such election there shall be printed the following: "Shall the following be adopted as an amendment to the Constitution of Alabama?" after which there shall be set forth the substance or subject matter of the amendment proposed in Section 1 of this Act, and after which there shall be printed the word "yes" and immediately under that word there shall be printed the word "no". Space shall be provided on each ballot for the elector to indicate his choice by a cross mark opposite the word expressing his choice.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation of the Governor published in a newspaper in each county in the state once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be published either (a) by posting a copy of the said proclamation at each courthouse in such county, or (b) by publication in a newspaper published in another county that is circulated in the county in which no newspaper is then published. There is hereby appropriated out of the General Fund of the state such sum as may be necessary to defray the expenses of the election.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pearson
Agee	Fine	Laxson	Pruitt
Bassett	Foshee	Lemley	Robertson
Beck	Gafford	Manley	Shumate
Berryman (W)	Graham	Mathews	Slate
Bolton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McElhaney	Steagall
Cameron	Hardin	McLain	Stembridge
Cherner	Harris	Merrill	Tuck
Collier	Higginbotham	Money	Turnham
Collins (C)	Hobbie	Neville	Watkins
Crawford	Holman	Owen (Baldwin)	Williams
Dobbs	Jackson (F)	Owens (W)	Wright
Downing	Jackson (T)	Paulk	Yeilding
Edington	Jones		

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And said bill:

To propose and provide for the submission of an Amendment to the

Constitution of Alabama empowering the levy in the school district comprising all the territory of Lee County outside of the cities of Auburn and Opelika of a special annual ad valorem tax at the rate of 50¢ on each \$100 of the assessed valuation of the taxable property in the said district for public school purposes therein upon authorization by the electors of the said district as herein provided.

As amended by the Senate amendment, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pearson
Agee	Fine	Laxson	Pruitt
Bassett	Foshee	Lemley	Robertson
Beck	Gafford	Manley	Shumate
Berryman (W)	Graham	Mathews	Slate
Bolton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McElhaney	Steagall
Cameron	Hardin	McLain	Stembridge
Cherner	Harris	Merrill	Tuck
Collier	Higginbotham	Money	Turnham
Collins (C)	Hobbie	Neville	Watkins
Crawford	Holman	Owen (Baldwin)	Williams
Dobbs	Jackson (F)	Owens (W)	Wright
Downing	Jackson (T)	Paulk	Yeilding
Edington	Jones		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 755. To make an appropriation from the state treasury to the use of the State Department of Education in matching funds provided by the Daughters of the American Revolution for capital outlay purposes at the Kate Duncan Smith School at Grant, Alabama.

Also:

H. 320. Relating to the Eighteenth Judicial Circuit; providing for an additional Circuit Judge in such Circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1115. Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Graham, the House concurred in and adopted the Senate amendment to the bill, H. 1115, said Senate amendment being as follows:

In Section 4, strike out the words and figures, two hundred dollars (\$200), and insert in lieu thereof the following words and figures: two hundred fifty dollars (\$250)

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Gafford	Manley	Pruitt
Agee	Graham	Mays	Robertson
Bassett	Grainger	McCorquodale	Sessions
Beck	Grayson	McElhaney	Shumate
Berryman (W)	Hain	McLain	Smith
Bolton	Hardin	Meade	Steagall
Brassell	Harris	Meeks	Stembridge
Cameron	Higginbotham	Melton	Stubbs
Collier	Hill	Merrill	Tuck
Crawford	Holladay	Money	Turnham
Culver	Holman	Neville	Waggoner
Dobbs	Jackson (F)	Owen (Baldwin)	Watkins
Downing	Jackson (T)	Owens (W)	Williams
Ellis	Jones	Pearson	Wright
Fine	Kilgore	Pennington	Yeilding
Foshee	Lemley	Perloff	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 827. To make an appropriation for the relief of Mrs. Hubert P. Gavin, of Camden.

Also:

By Messrs. Engel and Cooper:

S. 567. Proposing a constitutional amendment relative to the title and use of sixteenth section school lands lying within the corporate limits of the City of Mobile.

Also:

By Messrs. Engel and Cooper:

S. 566. To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama.

Also:

By Mr. Givhan:

S. 651. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), en-

titled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 827. Ways and Means.

SENATE MESSAGE

S. 567. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 3.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 566. Judiciary.

S. 651. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

Also:

H. 811. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any

bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 884. To repeal Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court, is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Samuel D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23rd, July 30th, Aug. 6th, and Aug. 13th, all in the year 1969.

SAMUEL D. NETTLES.

Sworn to and subscribed before me 13th day of August, 1969.

R. H. JERVIS,
Notary Public.McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 884. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Branyon, Givhan, Adams:

S. 204. Relating to the sale of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 204. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 194. To authorize and provide for Minute Entries in cases appealed from a City Recorder's Court, Mayor's Court, Police Court, or any Municipal Court, to the Circuit Courts or any other Courts of Record in Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 194. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Vacca, Childs, Morrow, Bailes, Hawkins and Gilmore:

S. 506. To validate moral obligations, not exceeding One Hundred and Sixty Dollars (\$160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Also:

By Mr. Turner:

S. 639. To amend Act No. 91, H. 22, Special Session 1969 so as to allocate thirty of the educable exceptional children teacher units to trainable exceptional children teacher units.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 506. Ways and Means.

S. 639. Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 125. Relative to adjournment of the two Houses of the Legislature.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 664. To make a supplemental appropriation to the Department of Public Safety.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 664. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Adams:

S. 758. To amend further Act No. 553, H. 145, Regular Session of 1955 (Acts, 1955, p. 1210), which grants to housing authorities and municipalities certain additional powers and authority relative to elimination and prevention of the development of slums and blight, in order to remove the special limitation on the use of such powers by housing authorities and municipalities in Houston County heretofore incorporated by amendment into such Act.

Also:

By Mr. Adams:

S. 826. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 regular session of the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits

of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Cottonwood, Houston County, Alabama, be changed to include all of the territory lying within the following described boundaries:

Beginning at the Southwest corner of Section 23, T1N, R27E and running thence North along the west line of said Section 23, and along the west line of Section 14, and along the West line of Section 11 to the Northwest corner of the $S\frac{1}{2}$ of $N\frac{1}{2}$ of said Section 11, T1N, R27E; thence East along the north line of the $S\frac{1}{2}$ of $N\frac{1}{2}$ of said Section 11, and along the north line of the $S\frac{1}{2}$ of $N\frac{1}{2}$ of Section 12 to the Northeast corner of the $S\frac{1}{2}$ of $N\frac{1}{2}$ Section 12; thence South along the East line of the $S\frac{1}{2}$ of $N\frac{1}{2}$ of Section 12, and along the East line of Section 13, and along the East line of Section 24 to the southeast corner of Section 24, T1N, R27E; thence West along the south line of said Section 24 and along the south line of Section 23 to the Point of Beginning and embraces all of Sections 13, 14, 23 & 24 and the South $\frac{3}{4}$ of Sections 11 & 12 all in Township 1 North, Range 27 East.

As thus altered and extended the corporate limits of said town shall include all of the lands lying within the aforesaid boundaries.

Section 2. That this Act shall become effective immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1969.

WALLACE MILLER.

Sworn to and subscribed before me July 30, 1969.

GLEND A. J. POWELL,
Notary Public, Houston County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 758. Judiciary.

S. 826. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following senate Bill and sends same herewith to the House:

By Messrs. Jackson, Goodwyn, McCarley, Leonard and Radney:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 674. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 282. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite, the House concurred in and adopted the Senate amendment to the bill, H. 282, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In addition to all other taxes of every kind now imposed by law, every person, firm, corporation, club, or association within the State of Alabama who sells, or stores, or receives for the purpose of distribution to any person, firm, corporation, club, or association within the State of Alabama any cigarettes shall collect and pay

over to the State of Alabama a license or privilege or excise tax at the rates hereinafter set forth upon the selling, use, consumption, distribution, storing or withdrawal from storage in this state of cigarettes for any use. Provided, that where the tax as hereinafter set forth shall have been paid to the state by any such person, firm, corporation, club, or association, such payments shall be sufficient, the intent being that the tax shall be paid to the state but once. The tax hereby levied shall be at the following rates:

On each package of cigarettes containing twenty cigarettes or less, two cents; on each package of cigarettes containing more than twenty but not exceeding forty cigarettes, three cents; and on each package of cigarettes containing more than forty cigarettes, four cents.

(b) Every such person, firm, corporation, club, or association shall add the amount of the tax levied and assessed herein to the sales price of the cigarettes, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer or user with such person, firm, corporation, club or association acting merely as an agent of the state for the collection and payment of the tax to the state. For the convenience of collection, such person, firm, corporation, club, or association shall be required to purchase tax stamps from the State of Alabama, and affix the same to the package at the rates set out hereinabove and in the manner provided by Section 2.

(c) When the retail or selling price is referred to herein as the basis for computing the amount of stamps required on any article, it is intended to mean the retail or selling price of the articles before adding the amount of the tax.

Section 2. (a) The taxes herein levied shall be paid through the use of stamps, and shall be paid to and collected by the State Department of Revenue at the same time and in the same manner as provided for the payment and collection of the taxes on tobacco and tobacco products levied by Section 718, through Section 743, Title 51, Code of Alabama (1940), or any laws amendatory thereof or supplemental thereto, and all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments, and deductions set out in Section 718 through Section 743, Title 51, Code of Alabama (1940), or any laws amendatory thereof or supplemental thereto, including all the provisions for the enforcement and collection of the tax levied by Section 718, Title 51, Code of Alabama (1940), as amended, shall except as otherwise provided herein, apply to the payment and collection of the tax levied by this Act. It is provided, however, that the State Department of Revenue shall furnish, for affixing to the boxes, packages, or containers of the cigarettes as enumerated in this Act single stamps of the requisite denominations to represent the payment of the tax levied hereby as well as the tax levied by Section 718, Title 51, Code of Alabama (1940), as amended.

(b) Provided, however, all cigarettes in inventory by retailers and wholesalers, as of the close of business on the last day of the first month following the passage and approval of this act by the Governor, or upon its otherwise becoming a law, shall also be subject to the additional tax imposed by this act, which tax shall be paid by such retailers and wholesalers directly to the Department of Revenue without the purchase of stamps. Provided, that if the tax levied by this act with respect to inventories provided herein is not reported and paid on or before the first day of the third month following the passage and approval of this act by the Governor, or upon its otherwise becoming a law, the Department shall add a penalty of 10% of the tax due, but in no case shall the penalty be less than \$5.00 per month for failure to report and pay said tax. Provided further, that the Department may, if a good and

sufficient reason is shown, waive or remit the penalty or a portion thereof.

Section 3. All revenues collected under the provisions of this act shall be paid into the State Treasury to the credit of the General Funds.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with the provisions of this act are hereby expressly repealed.

Section 6. This act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 43; Nays 26.

Yeas:

Mr. Speaker	Drake	Lemley	Owens (W)
Agee	Fine	Lybrand	Pearson
Bank	Garrett	Malone	Pennington
Beck	Graham	Manley	Pruitt
Berryman (W)	Grainger	Mays	Sessions
Brassell	Hain	McCorquodale	Stubbs
Cameron	Harris	McElhaney	Williams
Collins (C)	Hill	McLain	Wright
Collins (W)	Hobbie	Meade	Yielding
Dobbs	House	Melton	Young
Downing	Laxson	Merrill	

—43

Nays:

Messrs.:	Edington	Jackson (T)	Smith
Bassett	Ellis	Kilgore	Steagall
Bowers	Gafford	Marr	Stembridge
Brannan	Gloor	Money	Tuck
Brown	Hardin	Nettles	Watkins
Crawford	Higginbotham	Owen (Baldwin)	Wood
Doss	Holman	Robertson	

—26

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Brassell, the House concurred in and adopted the Senate amendment to the bill, H. 1013, said Senate amendment being as follows:

In Section 1 strike out the first paragraph in its entirety and insert in lieu thereof the following:

Section 1. There is hereby levied in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in addition to all other taxes now imposed by law special county privilege license and excise taxes paralleling state sales and use taxes. In that part of Lee County lying outside the corporate limits but within the police jurisdiction of the city of Opelika, such tax shall be levied in the manner and at one-half the rate of such tax in that part of Lee County outside the corporate limits of Auburn and outside the police jurisdiction of Opelika, in which latter area said tax shall be levied in the manner and at the rates hereafter prescribed:

Also, in the remainder of Section 1, strike out the words, corporate limits, wherever they appear and insert in lieu thereof the following words: police jurisdictions.

Yeas 60; Nay 1.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Owen (Baldwin)
Agee	Downing	Kilgore	Owens (W)
Bank	Fine	Lemley	Pearson
Bassett	Foshee	Lybrand	Pennington
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Graham	Manley	Sessions
Bowers	Grainger	Marr	Smith
Brassell	Hain	McLain	Stembridge
Burgess	Hardin	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Collier	Higginbotham	Melton	Turnham
Collins (C)	Hill	Merrill	Williams
Collins (W)	Hobbie	Money	Wood
Cook (Jefferson)	House	Nettles	Yeilding
Crawford	Jackson (F)	Neville	Young

—60

Nay: Mr. Robertson.

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 899. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hill, the House concurred in and adopted the Senate amendment to the bill, H. 899, said Senate amendment being as follows:

Amend H. B. 899 by deleting in its entirety Section 2, and re-numbering Sections 3, 4 & 5 to read Sections 2, 3 & 4.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker	Doss	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bank	Drake	Kilgore	Pearson
Bassett	Fine	Laxson	Pennington
Beck	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Slate
Bowers	Gloor	Malone	Smith
Brassell	Graham	Manley	Snell
Burgess	Grainger	Marr	Steagall
Cameron	Hain	Mays	Stembridge
Collier	Hardin	McCorquodale	Stubbs
Collins (C)	Harris	McLain	Tuck
Collins (W)	Haygood	Meade	Turnham
Cook (Jefferson)	Headley	Meeks	Williams
Crawford	Higginbotham	Melton	Wright
Culver	Hill	Merrill	Yeilding
Dill	Hobbie	Money	Young
Dobbs	Holman	Nettles	—75

Nays: Messrs. Jackson (T) and Robertson.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 621, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1970, and September 30, 1971, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

- | | |
|---|-----------------|
| (1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature for the fiscal year ending September 30, 1970 | \$ 1,000,000.00 |
| For the fiscal year ending September 30, 1971 | 1,750,000.00 |
| (2) For the printing of Legislative Acts and Journals: | |
| For the fiscal year ending September 30, 1970, estimated | 100,000.00 |
| For the fiscal year ending September 30, 1971, estimated | 50,000.00 |
| (3) For Legislative Council expenses | 20,000.00 |

(4) LEGISLATIVE REFERENCE SERVICE:

For the fiscal year ending September 30, 1970:		
For salary of the Director	17,000.00	
For other salaries	96,800.00	
For other expenses	6,000.00	
For equipment purchases	500.00	
Total		120,300.00
For the fiscal year ending September 30, 1971:		
For salary of the Director	17,000.00	
For other salaries	100,000.00	
For other expenses	6,000.00	
For equipment purchases	500.00	
Total		123,500.00
Commission on Intergovernmental Cooperation:		
For salaries	1,800.00	
For other expenses	3,200.00	
Total		5,000.00

(5) DEPARTMENT OF EXAMINERS OF
PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1970:		
For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	930,000.00	
For other expenses	266,110.00	
For equipment purchases	4,975.00	
Total		1,239,685.00
For the fiscal year ending September 30, 1971:		
For the salary of the Chief Examiner	19,800.00	
For the salary of the Assistant Chief Examiner	18,800.00	
For other salaries	1,002,000.00	
For other expenses	285,359.00	
For equipment purchases	2,000.00	
For automotive equipment purchases	21,600.00	
Total		1,349,559.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the fiscal year ending September 30, 1970:	
For the salaries of the Chief Justice and eight Associate	

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Justices	175,500.00	
For the salary of the Clerk of the Court	15,000.00	
For the salary of the Court Reporters	15,000.00	
For other salaries	257,500.00	
For other expenses	19,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	20,000.00	
Total		509,800.00

For the fiscal year ending
September 30, 1971:

For the salaries of the Chief Justice and eight Associate Justices	175,500.00	
For the salary of the Clerk of the Court	15,000.00	
For the salary of the Court Reporters	15,000.00	
For other salaries	257,500.00	
For other expenses	19,000.00	
For printing the Alabama Reports, Estimated	7,800.00	
For equipment purchases	5,000.00	
Total		494,800.00

For the Supreme Court Library Fund	40,000.00
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(2) THE COURT OF APPEALS:

For salaries of the three judges	57,000.00	
For other salaries	87,500.00	
For other expenses	6,500.00	
For printing Appellate Court Reports, Estimated	4,875.00	
For equipment purchases	3,000.00	
Total		158,875.00

(3) THE CIRCUIT COURTS:

For the salaries of the judges of the Circuit Courts, estimated	1,200,000.00	
For travel Expenses of circuit judges, estimated	15,000.00	
For College of Trial Judges as provided in Act No. 730, 1967 Regular Session	5,000.00	
For telephone service, stationery, stamps, law books and other legal publications, and neces- sary office equipment and supplies for the office use of circuit judges	25,000.00	
For the salaries and travel expenses of special judges, estimated	10,000.00	
For salaries of District Attorneys, Estimated:		
For the fiscal year ending September 30, 1970	392,400.00	
For the fiscal year ending September 30, 1971	471,450.00	

For salary of the elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	8,500.00
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the Second and Third Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputy District Attorneys of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	20,000.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	10,900.00
For the salaries of the Deputy District Attorneys of the 6th Judicial Circuit	6,750.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	6,900.00
For the salaries of the Deputy District Attorneys of the 13th Judicial Circuit	23,600.00
For the salaries of the Deputy District Attorneys of the 15th Judicial Circuit	13,200.00
For the salaries of the Deputy District Attorneys of the 16th Judicial Circuit	6,000.00
For the salaries of the Deputy District Attorneys of the 23rd Judicial Circuit	16,800.00
For the travel expenses of District Attorneys, estimated	17,000.00
For the salary of the Stenographic Secretary of the 6th Judicial Circuit	1,200.00
For telephone service, stationery, stamps, and necessary office supplies for the office use of District Attorneys, deputy District Attorneys or Assistants	25,000.00
(Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	

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Total for the fiscal year ending September 30, 1970	574,450.00
Total for the fiscal year ending September 30, 1971	653,500.00
For salary of supernumerary District Attorneys, estimated	20,800.00
For expenses of supernumerary District Attorneys, estimated	6,000.00
(4) COURT REPORTERS:	
For the compensation of the circuit court reporters, estimated	250,000.00
For the compensation of the supernumerary circuit court reporters, estimated	38,400.00
(5) SUPERNUMERARY JUDGES:	
For salaries of supernumerary judges and justices, estimated	64,800.00
For expenses of supernumerary judges and justices, estimated	5,000.00

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For the fiscal year ending September 30, 1970:	
For salary of the Governor	25,000.00
For salary of the Executive Secretary	15,000.00
For salary of the Legal Advisor	14,000.00
For salary of the Press Secretary	13,000.00
For salary of the Confidential Assistant	12,000.00
For other salaries	91,500.00
For other expenses	75,000.00
For equipment purchases	3,000.00
For automotive equipment purchases	3,500.00
Total	252,000.00

For the fiscal year ending September 30, 1971:	
For the salary of the Governor	25,000.00
For the salary of the Executive Secretary	15,000.00
For salary of the Legal Advisor	14,000.00
For salary of the Press Secretary	13,000.00
For salary of Confidential Assistant	12,000.00
For other salaries	91,500.00
For other expenses	87,500.00
For equipment purchases	3,000.00
For automotive equipment purchases	7,500.00
Total	268,500.00

(2) For the Governor's Emergency Fund, to be expended at the direction of the Governor	45,000.00
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For the Governor's Controlled Contingency Fund	45,000.00
(3) For the Mansion Fund	25,000.00
For the Governor's Mansion at Gulf Shores	5,000.00
(4) STATE BOARD OF ADJUSTMENT:	
(a) For expenditures by the Board payable from General Fund for the General Fund Contri- bution to the total expenditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
(b) For expenditures by the Board payable from General Fund under the provisions of Act 208 Special Session 1966 and Act 436 Regu- lar Session 1967, estimated	100,000.00
(5) COMMISSION ON AGING:	
For Salaries	29,800.00
For other expenses	6,000.00
Total	35,800.00
(6) DEPARTMENT OF ARCHIVES AND HISTORY:	
For the salary of the Director	12,000.00
For other salaries	108,220.00
For other expenses	17,000.00
For equipment purchases	3,000.00
For expenses of printing of the Alabama Historical Quarterly	6,000.00
Total	146,220.00
(7) ALABAMA COUNCIL ON THE ARTS:	
For transfer to the Council on the Arts	50,000.00
For transfer to the Council on the Arts conditional upon the condition of the State Treasury and with the approval of the Governor	50,000.00
(8) OFFICE OF THE ATTORNEY GENERAL:	
For transfer to the Office of the Attorney General for the payment of the State's General Fund share of the cost of operation of the Depart- ment:	
For the fiscal year ending September 30, 1970	507,700.00
For the fiscal year ending September 30, 1971	535,100.00
(9) OFFICE OF THE STATE AUDITOR:	
For the fiscal year ending September 30, 1970:	
For the salary of the State Auditor	15,000.00
For other salaries	69,100.00
For other expenses	2,795.00
For equipment purchases	850.00
Total	87,745.00
For the fiscal year ending September 30, 1971:	
For the salary of the State Auditor	15,000.00
For other salaries	71,660.00
For other expenses	2,997.00
For equipment purchases	500.00
Total	90,157.00

(10) STATE BANKING DEPARTMENT:

For transfer to the State Banking Department:	
For the fiscal year ending September 30, 1970	50,000.00
For the fiscal year ending September 30, 1971	75,000.00

(11) BANKING DEPARTMENT-BUREAU OF LOANS:

For transfer to the State Banking Department	32,125.00
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(12) BOARD OF EXAMINERS OF BASIC SCIENCE:

For salaries	3,300.00
For other expenses	1,700.00
Total	5,000.00

(13) BUILDING COMMISSION:

For salaries, other expenses and equipment purchases	107,500.00
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(14) CAHABA HISTORICAL COMMISSION:

To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total	5,000.00
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(15) DEPARTMENT OF CIVIL DEFENSE:

For the fiscal year ending September 30, 1970:	
For the salary of the Director	12,000.00
For other salaries	93,000.00
For other expenses	35,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	6,000.00
Total	147,000.00

For the fiscal year ending September 30, 1971:	
For the salary of the Director	12,000.00
For other salaries	93,000.00
For other expenses	35,000.00
For equipment purchases	2,900.00
For automotive equipment purchases	3,000.00
Total	145,900.00

(16) STATE EMPLOYEES INSURANCE BOARD:

For the fiscal year ending September 30, 1970:	
For salaries	23,100.00
For other expenses	4,190.00
For equipment purchases	150.00
Total	27,440.00

For the fiscal year ending September 30, 1971:	
For salaries	23,750.00
For other expenses	4,350.00
For equipment purchases	250.00
Total	28,350.00

(17) FARMERS MARKET AUTHORITY:

For transfer to Farmers Market Authority	35,410.00
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(18) DEPARTMENT OF FINANCE:

(a) Director's Office:

For the fiscal year ending September 30, 1970:	
For the salary of the Director	18,000.00
For salary of the Assistant	
Director	13,000.00
For other salaries	17,400.00
For other expenses	6,650.00
For records retention program	20,000.00
For equipment purchases	1,025.00
Total	76,075.00

For the fiscal year ending September 30, 1971:	
For the salary of the Director	18,000.00
For the salary of the Assistant	
Director	13,000.00
For other salaries	17,400.00
For other expenses	6,650.00
For automotive equipment	
purchases	3,000.00

Total	58,050.00
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(b) Division of the Budget:

For the fiscal year ending September 30, 1970:	
For salary of the Budget	
Officer	17,500.00
For other salaries	47,600.00
For other expenses	4,000.00
For equipment purchases	500.00
Total	69,600.00

For the fiscal year ending September 30, 1971:	
For salary of the Budget	
Officer	17,500.00
For other salaries	61,700.00
For other expenses	4,800.00
For equipment purchases	500.00

Total	84,500.00
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(c) Division of Control and Accounts:

For the fiscal year ending September 30, 1970:	
For salary of State Comptroller	14,000.00
For other salaries	216,500.00
For other expenses	106,300.00
For equipment purchases	1,000.00
Total	337,800.00

For the fiscal year ending September 30, 1971:	
For salary of State Comptroller	14,000.00
For other salaries	221,400.00
For other expenses	108,000.00
For equipment purchases	1,000.00

Total	344,400.00
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(d) Legal Division:

For salary of the Chief of the Division	14,000.00
For other salaries	15,650.00
For other expenses	6,000.00
For equipment purchases	600.00

Total 36,250.00

(e) For Computer Consolidation and Copy Center Operations

75,000.00

(f) Division of Purchases and Stores:

For the fiscal year ending September 30, 1970:	
For salaries	168,100.00
For other expenses	22,200.00
For equipment purchases	1,000.00

Total 191,300.00

For the fiscal year ending September 30, 1971:

For salaries	171,400.00
For other expenses	22,400.00
For equipment purchases	1,000.00

Total 194,800.00

(g) Division of Service:

For the fiscal year ending September 30, 1970:	
For salaries	541,100.00
For other expenses	215,000.00
For equipment purchases	5,200.00
For automotive equipment purchases	4,800.00

Total 766,100.00

For the fiscal year ending September 30, 1971:

For salaries	548,800.00
For other expenses	215,000.00
For equipment purchases	8,000.00
For automotive equipment purchases	2,000.00

Total 773,800.00

(h) For equipment purchases in the State Offices for the Executive, Administrative and Judicial Department

10,000.00

(19) GORGAS MEMORIAL BOARD:

To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383, and an additional amount—Total

9,500.00

(20) HALL OF FAME BOARD:

For payment of expenses of the Board

750.00

(21) DEPARTMENT OF HEALTH:

(a) For Air Pollution:

For salaries	32,100.00
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For other expenses	10,000.00	
For equipment purchases	2,500.00	
Total		44,600.00
(b) For study, care and treatment of cancer		140,000.00
(c) For County Health Work:		
For transfer to the County Health Work Account		375,000.00
(d) For Dental Program:		
For salaries	33,700.00	
For other expenses	17,200.00	
For County Clinics	40,000.00	
Total		90,900.00
(e) For General Health Work:		
For other salaries	809,000.00	
For other expenses	230,000.00	
Total		1,039,000.00
(This appropriation includes the operations of the Branch Laboratories in Birmingham and Mobile.)		
(f) For Health Facilities Construction:		
For salaries	34,650.00	
For other expenses	7,150.00	
Total		41,800.00
(g) For Hospital Care of the Indigent:		
For transfer to the Hospital Care of the Indigent Account		250,000.00
(h) Hospital Licensing:		
For transfer to the Hospital Licensing Account		21,500.00
(i) Medicaid:		
For transfer to Medicaid Account:		
For the fiscal year ending September 30, 1970		12,000,000.00
For the fiscal year ending September 30, 1971		17,000,000.00
(j) For Polio Program and Tuberculosis Drugs:		
For the purchase of Polio Vaccine and Tuberculosis Drugs		50,000.00
(k) For Pollution Control:		
For salaries	133,750.00	
For other expenses	11,500.00	
For Contract with Alabama Geological Survey for Stream studies	13,500.00	
Total		158,750.00
(l) For Radiation Control:		
For salaries	29,850.00	
For other expenses	24,750.00	
Total		54,600.00

(m) For Tuberculosis Testing:

For salaries	70,700.00
For other expenses	50,000.00
For equipment purchases	2,500.00

Total 123,200.00

(n) For Tuberculosis and Chronic Lung Disorders Treatment:

For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State and for administrative cost not to exceed \$276.00 per licensed bed as provided in Act No. 272, 1966 Special Session. Provided, however, that not more than 5% of this appropriation may be used for the treatment of disease other than tuberculosis 3,297,530.00

(o) For Venereal Disease Control:

For salaries	35,400.00
For other expenses	16,500.00

Total 51,900.00

(22) OFFICE OF HIGHWAY AND TRAFFIC SAFETY:

For transfer to Office of Highway and Traffic Safety 50,000.00

(23) ALABAMA HISTORICAL COMMISSION:

For transfer to Alabama Historical Commission:
For the fiscal year ending September 30, 1970 68,035.00
For the fiscal year ending September 30, 1971 69,135.00

(24) RICHMOND PEARSON HOBSON MEMORIAL BOARD:

To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount—Total 9,500.00

(25) INDUSTRIAL DEVELOPMENT BOARD:

(a) For the fiscal year ending September 30, 1970:

For salary of the Director	13,000.00
For other salaries	187,250.00
For other expenses and for National Advertising Promotion	254,700.00
For Contracts for evaluating, research and development of Inventions	25,000.00
For equipment purchases	15,000.00

Total 494,950.00

For the fiscal year ending September 30, 1971:

For salary of the Director	13,000.00
For other salaries	198,000.00
For other expenses and for National Advertising Promotion	262,700.00

For Contracts for evaluating, research and development of Inventions	25,000.00	
For equipment purchases	2,000.00	
For automotive equipment pur- chases	3,000.00	
Total		503,700.00

(b) PLANNING AND INDUSTRIAL DEVELOPMENT BOARD:

Community Planning:

For the fiscal year ending September 30, 1970:

For other salaries	164,000.00	
For other expenses	100,000.00	
For equipment purchases	10,000.00	
For Contracts	25,000.00	

Total		299,000.00
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For the fiscal year ending September 30, 1971:

For other salaries	190,750.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
For Contracts	25,000.00	

Total		320,750.00
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(26) DEPARTMENT OF INDUSTRIAL RELATIONS:

For salaries	244,200.00	
For other expenses	57,000.00	
For automotive equipment pur- chases	2,500.00	

Total		303,700.00
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(27) DEPARTMENT OF INSURANCE:

For the fiscal year ending September 30, 1970:

For salary of the Director	13,000.00	
For other salaries	302,200.00	
For other expenses	95,000.00	
For equipment purchases	1,000.00	

Total		411,200.00
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For the fiscal year ending September 30, 1971:

For salary of the Director	13,000.00	
For other salaries	304,500.00	
For other expenses	95,000.00	
For equipment purchases	1,000.00	

Total		413,500.00
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(28) STATE LABOR DEPARTMENT:

For the fiscal year ending September 30, 1970:

For salary of the Director	12,000.00	
For other salaries	74,000.00	
For other expenses	22,000.00	
For equipment purchases	500.00	

For automotive equipment purchases	2,500.00	
Total		111,000.00
For the fiscal year ending September 30, 1971:		
For salary of the Director	12,000.00	
For other salaries	74,000.00	
For other expenses	22,000.00	
For equipment purchases	500.00	
Total		108,500.00
(29) LAGRANGE HISTORICAL COMMISSION:		
To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, Page 540		1,800.00
(30) LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum:		
For the fiscal year ending September 30, 1970		69,605.00
For the fiscal year ending September 30, 1971		59,105.00
(31) PUBLIC LIBRARY SERVICE DIVISION:		
(a) For salaries	46,500.00	
For other expenses	22,000.00	
For Books & Periodicals	175,000.00	
Total		243,500.00
Provided, however, that not more than \$105,000.00 of the appropriation hereinabove made for the purchase of Books & Periodicals may be apportioned and paid out to the several library systems of the state. Any remaining part of the appropriation shall be used by the Public Library Service Division for the purchase and distribution of Books & Periodicals.		
(b) For transfer to Alabama Public Library Service Federal Account—Title II		6,000.00
(32) MILITARY DEPARTMENT:		
(a) For operation of the Department:		
For the fiscal year ending September 30, 1970:		
For the salary of the Adjutant General	14,000.00	
For other salaries	372,800.00	
For other expenses	90,000.00	
For equipment purchases	5,000.00	
For automotive equipment purchases	2,000.00	
Total		483,800.00
For the fiscal year ending September 30, 1971:		
For the salary of the Adjutant General	14,000.00	
For other salaries	380,000.00	
For other expenses	90,000.00	

For equipment purchases	5,000.00	
For automotive equipment purchases	2,000.00	
Total		491,000.00
(b) For Quarterly Allowances		273,000.00
Provided that not more than \$5,000.00 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,500.00 may be allotted in any fiscal year for the Division Headquarters.		
(c) For Active Military Service—Active National Guard		72,000.00
(d) For transfer to the Armory Commission—For care and maintenance of armories:		
For the fiscal year ending September 30, 1970	651,400.00	
For the fiscal year ending September 30, 1971	662,500.00	
(33) UNIVERSITY OF ALABAMA-MUSEUM FUND:		
For operation and maintenance		38,000.00
(34) DEPARTMENT OF PENSIONS AND SECURITY:		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		10,000,000.00
(35) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department.		
For the fiscal year ending September 30, 1970	52,200.00	
For the fiscal year ending September 30, 1971	54,100.00	
(36) COMMISSION ON PHYSICAL FITNESS:		
For salaries	19,800.00	
For other expenses	5,000.00	
Total		24,800.00
(37) COMMISSION TO PRESERVE THE PEACE:		
For the fiscal year ending September 30, 1970:		
For salaries	19,600.00	
For other expenses	20,000.00	
Total		39,600.00
For the fiscal year ending September 30, 1971:		
For salaries	20,700.00	
For other expenses	20,000.00	
Total		40,700.00
(38) ALABAMA PROGRAM DEVELOPMENT OFFICE:		
For transfer to Alabama Program Development Office		115,000.00

(39) BUREAU OF PUBLICITY AND INFORMATION:

For the salary of the Director	12,000.00
For other salaries	35,500.00
For other expenses	40,000.00
For equipment purchases	1,000.00
For Mobile Junior Miss Pageant	14,250.00
For Guntersville Boat Races	9,500.00
For the Blue and Gray Football Game	10,000.00
For the Lake Eufaula Festival	10,000.00
For Promotion of Ava Maria Grotto	2,500.00

Total 134,750.00

(40) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1970:	
For the salary of the Director	14,000.00
For other salaries	6,150,000.00
For other expenses	1,370,000.00
For Workman's Compensation In- surance, Estimated	60,000.00
For equipment purchases	100,000.00
For automotive equipment pur- chases	700,000.00

Total 8,394,000.00

For the fiscal year ending September 30, 1971:	
For the salary of the Director	14,000.00
For other salaries	6,260,000.00
For other expenses	1,420,000.00
For Workman's Compensation In- surance—Estimated	60,000.00
For equipment purchases	100,000.00
For automotive equipment pur- chases	700,000.00

Total 8,554,000.00

(41) DEPARTMENT OF REVENUE:

(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department, For the fiscal year ending September 30, 1970	763,488.00
For the fiscal year ending September 30, 1971	796,944.00
For the fiscal year ending September 30, 1971, only, conditional upon the condition of the State treasury and with the approval of the Governor	1,000,000.00

(b) Boards of Equalization:

For salaries of the members and employees of the county boards of equalization	120,000.00
For other expenses	3,200.00

Total 123,200.00

(42) OFFICE OF SECRETARY OF STATE:

(a) For the fiscal year ending September 30, 1970:

For the salary of the Secretary of State	15,000.00	
For other salaries	43,800.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
Total		67,800.00

For the fiscal year ending September 30, 1971:		
For salary of the Secretary of State	15,000.00	
For other salaries	45,400.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
Total		69,400.00

(b) Uniform Commercial Code:

For the fiscal year ending September 30, 1970:		
For other salaries	30,500.00	
For other expenses	8,000.00	
For equipment purchases	6,000.00	
Total		44,500.00

For the fiscal year ending September 30, 1971:		
For other salaries	32,000.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
Total		41,000.00

(43) SECURITIES COMMISSION:

For salaries	67,800.00	
For other expenses	5,000.00	
For equipment purchases	2,500.00	
For automotive equipment purchases	2,500.00	
Total		77,800.00

(44) SOCIAL SECURITY ADMINISTRATION:

For the fiscal year ending September 30, 1970:		
For salaries	74,400.00	
For other expenses	15,500.00	
For equipment purchases	1,000.00	
Total		90,900.00

For the fiscal year ending September 30, 1971:		
For other salaries	75,800.00	
For other expenses	15,500.00	
For equipment purchases	500.00	
Total		91,800.00

(45) STATE SOVEREIGNTY COMMISSION:

To carry out the provisions of Act No. 514 of the 1963 Regular Session		50,000.00
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(46) SPORTS HALL OF FAME BOARD:

To carry out provisions of Act No. 225, 1967 Regular Session	25,000.00
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(47) STATE TOXICOLOGIST:

For the fiscal year ending September 30, 1970:

For the salary of the State Toxicologist	15,000.00
For other salaries	234,000.00
For other expenses	40,000.00
For equipment purchases	4,000.00
For automotive equipment purchases	11,000.00

Total	304,000.00
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For the fiscal year ending September 30, 1971:

For the salary of the State Toxicologist	15,000.00
For other salaries	250,000.00
For other expenses	40,000.00
For equipment purchases	4,000.00
For automotive equipment purchases	11,000.00

Total	320,000.00
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Provided, however, that the appropriations hereinabove made to the State Toxicologist shall not be released for expenditure if any of the present offices or sub-offices of the Toxicologist are closed.

(48) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September 30, 1970:

For the salary of the State Treasurer	15,000.00
For other salaries	185,000.00
For other expenses	53,000.00
For equipment purchases	6,500.00

Total	259,500.00
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For the fiscal year ending September 30, 1971:

For the salary of the State Treasurer	15,000.00
For other salaries	194,000.00
For other expenses	55,000.00
For equipment purchases	6,500.00
For automotive equipment purchases	2,500.00

Total	273,000.00
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(49) UNIVERSITY OF ALABAMA—UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance	1,000,000.00
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(50) DEPARTMENT OF VETERANS' AFFAIRS:

For the fiscal year ending September 30, 1970:

For the salary of the Service

Commissioner	13,000.00
For other salaries	691,500.00
For other expenses	50,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	4,000.00
For Contract with Veterans of Foreign Wars Organization	22,150.00
For Contract with Disabled American Veterans Organization	5,550.00

Total	787,200.00
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For the fiscal year ending September 30, 1971:

For the salary of the Service Commissioner	13,000.00
For other salaries	732,200.00
For other expenses	50,000.00
For equipment purchases	1,000.00
For automotive equipment purchases	4,000.00
For Contract with Veterans of Foreign Wars Organization	22,150.00
For Contract with Disabled American Veterans Organization	5,550.00

Total	827,900.00
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(51) FIRST WHITE HOUSE OF THE CONFEDERACY:

For salaries and other expenses	8,500.00
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B. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES:

(1) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:

For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries:

For the fiscal year ending September 30, 1970	1,820,860.00
For the fiscal year ending September 30, 1971	1,880,720.00

(2) AGRICULTURE CENTER BOARD:

For transfer to the Agriculture Center Board for salaries and other expenses	29,350.00
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(3) DEPARTMENT OF CONSERVATION:

(a) For transfer to Department of Conservation—State Forestry Fund—For salaries, other expenses and equipment purchases for the Division of State Forestry:

For the fiscal year ending September 30, 1970	827,000.00
For the fiscal year ending September 30, 1971	1,093,000.00

(b) For transfer to Department of Conservation—State Land Funds—For salaries, other expenses and equipment purchases for the State Lands Division

33,000.00

(4) FORT MORGAN HISTORICAL COMMISSION:

For salaries	29,800.00
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For other expenses	13,100.00	
For equipment purchases	1,500.00	
Total		44,400.00

(5) GEOLOGICAL SURVEY:

For the fiscal year ending September 30, 1970:

For the salary of the State

Geologist 14,000.00

For other salaries 255,800.00

For other expenses 75,000.00

For equipment purchases 5,000.00

For automotive equipment purchases 7,500.00

For matching Federal funds for investigation of the surface water and ground water resources of the State 137,500.00

For matching Federal funds for topographic mapping 25,000.00

For test drilling 20,000.00

Total 539,800.00

For the fiscal year ending September 30, 1971:

For the salary of the State

Geologist 14,000.00

For other salaries 256,500.00

For other expenses 75,000.00

For equipment purchases 5,000.00

For automotive equipment purchases 7,500.00

For matching Federal funds for investigation of the surface water and ground water resources of the State 137,500.00

For matching Federal Funds for topographic mapping 25,000.00

For test drilling 20,000.00

Total 540,500.00

(6) OIL AND GAS BOARD:

For the fiscal year ending September 30, 1970:

For salaries 229,700.00

For other expenses 65,000.00

For equipment purchases 3,000.00

For automotive equipment purchases 2,000.00

For salaries, other expenses and equipment purchases to be allotted upon opening of New Oil and Gas Fields 20,000.00

Total 319,700.00

For the fiscal year ending September 30, 1971:

For salaries 247,500.00

For other expenses 65,000.00

For equipment purchases 3,000.00

For automotive equipment purchases 2,000.00

For salaries, other expenses and equipment purchases to be allotted upon opening of New Oil and Gas Fields	20,000.00	
Total		337,500.00
(7) STATE SOIL CONSERVATION COMMITTEE:		
For salaries	30,900.00	
For other expenses	50,000.00	
For equipment purchases	500.00	
For Watershed Planning Party	40,000.00	
Soil and Water Conservation District-Watershed Planning Funds	35,000.00	
Total		156,400.00
(8) WATERSHED CONSERVANCY DISTRICTS:		
(1) Bear Creek Watershed	25,000.00	
(2) Choccolocco Watershed	4,000.00	
(3) Crooked Creek Watershed	2,500.00	
(4) Ketchepedrakee Watershed	2,500.00	
(5) Line Creek Watershed	2,000.00	
(6) Terrapin Creek Watershed	10,000.00	
C. HOSPITAL AND CORRECTIONAL FUNCTIONS:		
(1) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, estimated	2,000.00	
(2) BOARD OF CORRECTIONS:		
For transfer to Board of Corrections:		
For the fiscal year ending September 30, 1970	4,830,000.00	
For the fiscal year ending September 30, 1971	4,850,000.00	
(3) FEEDING OF PRISONERS:		
For expenses of feeding prisoners in county jails, estimated	1,000,000.00	
(4) JUVENILE PROBATION OFFICERS:		
Estimated	150,000.00	
(To carry out the provisions of Act No. 880, 1965 Reg. Sess.)		
(5) MENTAL HEALTH:		
For transfer to Special Mental Health Fund:		
For the fiscal year ending September 30, 1970	14,250,000.00	
For the fiscal year ending September 30, 1971	14,750,000.00	
(6) BOARD OF PARDONS AND PAROLES:		
For the fiscal year ending September 30, 1970:		
For salaries of Board Members	45,000.00	
For other salaries	978,800.00	
For other expenses	121,000.00	
For equipment purchases	7,000.00	
For automotive equipment purchases	7,000.00	
Total		1,158,800.00

For the fiscal year ending September 30, 1971:	
For salaries of Board Members	45,000.00
For other salaries	1,010,000.00
For other expenses	121,000.00
For equipment purchases	7,000.00
For automotive equipment purchases	7,000.00

Total	1,190,000.00
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(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	65,000.00
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D. DEBT SERVICE:

- (1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII:

For the fiscal year ending September 30, 1970	268,675.00
For the fiscal year ending September 30, 1971	267,450.00

- (2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII:

For the fiscal year ending September 30, 1970	225,692.50
For the fiscal year ending September 30, 1971	230,025.00

- (3) For interest on Spanish American War Veterans Fund, estimated

294.86

- (4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI:

For the fiscal year ending September 30, 1970	927,417.50
For the fiscal year ending September 30, 1971	940,273.75

- (5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV:

For the fiscal year ending September 30, 1970	227,580.00
For the fiscal year ending September 30, 1971	226,280.00

E. MISCELLANEOUS:

- | | |
|---|------------|
| (1) Alabama Academy of Honor | 2,000.00 |
| (Pursuant to provisions of Act No. 15, Third Special Session 1965) | |
| (2) For advertising lands for tax sale, estimated | 12,000.00 |
| (3) Alabama Agricultural and Industrial Exhibit Commission | 32,500.00 |
| (4) Appalachian Regional Development Program: | |
| For the fiscal year ending September 30, 1970 | 113,673.75 |
| For the fiscal year ending September 30, 1971 | 87,891.25 |
| (5) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated | 35,000.00 |

(6) Automatic Appeal Expense as provided in 1943, Acts of Legislature, page 217, estimated	3,000.00
(7) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated	100.00
(8) Council of State Governments	21,625.00
(9) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, 1957 Acts, page 777, estimated	240,000.00
(10) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated	65,000.00
(11) Departmental Emergency Fund	150,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(12) Department of Finance—Mail and Supply Room: For the fiscal year ending September 30, 1970	35,000.00
(13) For distribution of public documents, estimated	9,000.00
(14) Election expenses, estimated:	
For the fiscal year ending September 30, 1970	400,000.00
For the fiscal year ending September 30, 1971	500,000.00
This appropriation made pursuant to provisions of Act No. 160, 1955 Acts, page 407, for costs and expenses of elections.	
(15) State Employees Insurance:	
To pay the State's share of the State Employees Insurance Program, estimated	225,000.00
(16) Employees' Retirement Fund State's part, estimated	1,000,000.00
(17) For expenses of Governor's Proclamations, estimated	100,000.00
(18) National Governor's Conference	6,000.00
(19) Governor's Retirement, estimated	9,000.00
(20) For Helen Keller Home:	
For Operation and Maintenance	2,500.00
(21) Interpreter's Account, estimated	100.00
(To carry out provisions of Act No. 799, 1965 Reg. Sess.)	
(22) Southern Interstate Nuclear Board	8,902.00
(23) Law Enforcement Legal Defense, estimated	10,000.00
(To carry out provisions of Act No. 259, Regular Session 1967)	
(24) Alabama Law Institute	75,000.00
(25) For Mailing Tax Notices, estimated	5,000.00
(26) For Alabama Mountain Lakes Association	5,000.00
(27) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1970, estimated	60,000.00
(28) For printing of State and County Privilege Licenses, estimated	7,500.00
(29) Southern Regional Educational Board	8,000.00
(30) For Registration of Voters, estimated	150,000.00
(31) For State's share of Social Security, estimated	
For the fiscal year ending September 30, 1970	450,000.00
For the fiscal year ending September 30, 1971	500,000.00

- | | |
|--|------------|
| (32) For Spanish War Veterans and Widows Encampment | 1,000.00 |
| (33) For Tallapoosa Highland Lake Association | 5,000.00 |
| (34) Telephone Revolving Fund:
For the fiscal year ending September 30, 1970 | 10,000.00 |
| (35) Tennessee River Development Authority | 5,000.00 |
| (36) Tennessee-Tombigbee Waterway Development Authority | 80,000.00 |
| (To carry out the provisions of Act No. 355, 1957 Reg. Sess., approved August 23, 1957.) | |
| (37) Commission on Uniform State Laws | 4,000.00 |
| Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission. | |
| (38) For Matching Federal Funds not otherwise provided for, conditional upon the condition of the State treasury and with the approval of the Governor | 100,000.00 |
| (39) CIVIL AIR PATROL: | |
| For the fiscal year ending September 30, 1970: | |
| For salaries | 4,400.00 |
| For other expenses | 11,600.00 |
| For equipment purchases | 9,000.00 |
| Total | 25,000.00 |
| For the fiscal year ending September 30, 1971: | |
| For salaries | 4,400.00 |
| For other expenses | 16,100.00 |
| For equipment purchases | 4,500.00 |
| Total | 25,000.00 |
| (40) ALABAMA SPACE SCIENCE EXHIBIT COMMISSION: | |
| For operation and maintenance,
For the fiscal year ending September 30, 1970 | 120,000.00 |
| (This appropriation to be conditional upon the condition of the State treasury and with the approval of the Governor.) | |
| (41) Coosa-Alabama Development Authority | 12,500.00 |
| (42) Alabama State Steer Show Association | 10,000.00 |
| (The above appropriation to be administered by the Department of Agriculture and Industries in conjunction with the Alabama State Steer Show Association in the promotion and development of livestock exhibits. | |

F. FROM FUNDS OTHER THAN GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:

For salaries, other expenses and equipment purchases	24,000.00
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In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the re-

fund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

For the fiscal year ending September 30, 1970:

For the salary of Director	12,000.00
For other salaries	46,500.00
For other expenses	25,412.00
For equipment purchases	1,500.00

Total	85,412.00
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For State Aid for Airports—For Airports and Airmarkings

350,000.00

For the fiscal year ending September 30, 1971:

For the salary of Director	12,000.00
For other salaries	47,700.00
For other expenses	25,412.00
For equipment purchases	1,500.00
For automotive equipment purchases	2,500.00

Total	89,112.00
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For State Aid for Airports—For Airports and Airmarkings

350,000.00

The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) AGRICULTURE AND INDUSTRIES:

(a) For the fiscal year ending September 30, 1970:

For the salary of the Commissioner	15,000.00
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For other salaries, other expenses, equipment purchases, and automotive equipment purchases	2,761,300.00
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(Provided that not more than \$60,000.00 shall be used for automotive equipment purchases.)

For transfer to Agricultural Center Board for rental (Livestock Coliseum)	62,550.00
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For transfer to the State Personnel Department	5,310.00
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Total	2,844,160.00
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For the fiscal year ending September 30, 1971:

For the salary of the Commissioner	15,000.00
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For other salaries, other expenses, equipment purchases, and automotive equipment purchases	2,813,300.00
(Provided that not more than \$60,000.00 shall be used for automotive equipment purchases.)	
For transfer to Agricultural Center Board for rental (Livestock Coliseum)	61,200.00
For transfer to the State Personnel Department	5,520.00
Total	

2,895,020.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in III B (1).

The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, for awarding prizes and premiums, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of \$100,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:

For salaries	59,400.00
For other expenses	28,000.00
For equipment purchases	200.00
For automotive equipment purchases	3,800.00
Total	

91,400.00

The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) 1. Agriculture Center Board:

For the fiscal year ending
September 30, 1970:

For salaries	21,700.00
For other expenses	6,000.00
For rental (Livestock Coliseum, Montgomery) ..	62,550.00
Total	

90,250.00

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For the fiscal year ending
September 30, 1971:

For salaries	21,700.00
For other expenses	6,000.00
For rental (Livestock Coliseum, Montgomery) ..	61,200.00

Total	88,900.00
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The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in III B (2) and III F (3).

2. Livestock Coliseum:

For the fiscal year ending
September 30, 1970:

For salaries	48,700.00
For other expenses	57,250.00
For equipment purchases	3,000.00
For automotive equipment purchases	3,000.00
For repairs to Coliseum	12,000.00

Total	123,950.00
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For the fiscal year ending
September 30, 1971:

For salaries	50,000.00
For other expenses	57,250.00
For equipment purchases	3,500.00
For automotive equipment purchases	2,500.00

Total	113,250.00
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The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in III A (30).

(d) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates

to be used for the sale of agricultural commodities, (provided that automotive equipment purchases shall not exceed the sum of \$2,000.00 for each of the fiscal years ending September 30, 1970, and September 30, 1971.)

(4) ALCOHOLIC BEVERAGE CONTROL BOARD:

(a) Administrative and Stores Division:

For the fiscal year ending September 30, 1970:

For the salary of the Administrator	15,000.00
For other salaries	5,831,000.00
For other expenses (Transportation cost for merchandise excluded)	1,363,316.00
For equipment purchases	73,764.00
For automotive equipment purchases	2,500.00
Awards for Convictions, estimated	3,000.00
For transfer to State Personnel Department	19,900.00
For transfer to Mental Health Department	300,000.00
For Transfer to Education Department for Temperance Education	46,936.00
For transportation cost on merchandise, estimated	240,000.00

Total Estimated	7,895,416.00
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For the fiscal year ending September 30, 1971:

For the salary of the Administrator	15,000.00
For other salaries	6,000,000.00
For other expenses (Transportation cost for merchandise excluded)	1,427,516.00
For equipment purchases	56,000.00
For automotive equipment purchases	2,500.00
Awards for Convictions, estimated	3,000.00
For transfer to State Personnel Department	20,660.00
For transfer to Mental Health Department	300,000.00
For transfer to Education Department for Temperance Education	46,936.00
For transportation cost on merchandise, estimated	247,000.00

Total Estimated	8,118,612.00
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In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install and operate

the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending September 30, 1970:

For salaries	1,070,000.00
For other expenses	276,250.00
For equipment purchases	7,000.00
For automotive equipment purchases	50,000.00

Total	1,403,250.00
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For the fiscal year ending September 30, 1971:

For salaries	1,086,000.00
For other expenses	293,750.00
For equipment purchases	7,000.00
For automotive equipment purchases	50,000.00

Total	1,436,750.00
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The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending September 30, 1970:

For salaries	377,500.00
For other expenses	139,640.00
For equipment purchases	2,000.00

Total	519,140.00
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For the fiscal year ending September 30, 1971:

For salaries	415,800.00
For other expenses	149,440.00
For equipment purchases	2,000.00

Total	567,240.00
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In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addi-

tion to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(5) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For salaries	6,420.00
For other expenses	12,500.00
For equipment purchases	500.00

Total	19,420.00
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The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(6) ARMORY COMMISSION:

For the fiscal year ending September 30, 1970:	
For salaries	360,600.00
For other expenses	355,300.00
For equipment purchases	13,200.00
For automotive equipment purchases	11,800.00

Total	740,900.00
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For the fiscal year ending September 30, 1971:	
For salaries	370,200.00
For other expenses	355,300.00
For equipment purchases	13,200.00
For automotive equipment purchases	11,800.00

Total	750,500.00
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The funds hereinabove appropriated to the Amory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (32) (d) in this Act. Provided, however, that the last Federal Government service contract reimbursement for either of the fiscal years shall not revert to the State General Fund.

(7) ALABAMA COUNCIL ON THE ARTS:

For salaries, other expenses, and equipment purchases, Estimated	50,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Section III, A (7).

(8) OFFICE OF THE ATTORNEY GENERAL:

For the fiscal year ending September 30, 1970:		
For the salary of the Attorney General	18,000.00	
For salary of the Deputy Attorney General	17,000.00	
For salary of the Executive Assistant	15,000.00	
For other salaries	412,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
Total		567,000.00
For the fiscal year ending September 30, 1971:		
For the salary of the Attorney General	18,000.00	
For salary of the Deputy Attorney General	17,000.00	
For salary of the Executive Assistant	15,000.00	
For other salaries	438,000.00	
For other expenses	100,000.00	
For equipment purchases	5,000.00	
Total		593,000.00

The above appropriations shall be paid from funds transferred to, or received by, the Office of the Attorney General provided in this or any other Act.

(9) DEPARTMENT OF BANKING:

For salary of the Director	15,000.00	
For other salaries	240,800.00	
For other expenses	50,000.00	
For equipment purchases	500.00	
For automotive equipment purchases	3,000.00	
Total		309,300.00

The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session and shall also include the appropriation made in Item III A (10) of this Act.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For salaries	72,750.00	
For other expenses	18,000.00	
For equipment purchases	500.00	
Total		91,250.00

The above appropriation shall be paid out of the

Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959 and shall also include the appropriation in Section III A (11) of this Act.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	46,025.00	
For other expenses	71,600.00	
For equipment purchases	1,000.00	
Total		118,625.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries	1,800.00	
For other expenses	4,275.00	
Total		6,075.00

The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(13) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending September 30, 1970:		
For salary of the Director	14,000.00	
For other salaries	401,250.00	
For other expenses	140,000.00	
For equipment purchases	2,500.00	
For automotive equipment purchases	4,500.00	
For transfer to Personnel Department	14,900.00	
For transfer to Attorney General's Department	15,000.00	
Total		592,150.00

For the fiscal year ending September 30, 1971:

For salary of the Director	14,000.00	
For other salaries	428,000.00	
For other expenses	140,000.00	
For equipment purchases	4,500.00	
For automotive equipment purchases	2,500.00	
For transfer to Personnel Department	15,470.00	
For transfer to Attorney General's Department	15,000.00	

Total		619,470.00
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The above appropriation shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) State Forestry Division:

For the fiscal year ending September 30, 1970:

For salaries	2,327,000.00
For other expenses	475,000.00
For equipment purchases	15,000.00
For automotive equipment purchases	85,000.00
For transfer to Conservation Department-Administrative Account	212,190.00

Total	3,114,190.00
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For the fiscal year ending September 30, 1971:

For salaries	2,381,000.00
For other expenses	475,000.00
For equipment purchases	15,000.00
For automotive equipment purchases	85,000.00
For transfer to Conservation Department-Administrative Account	212,190.00

Total	3,168,190.00
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The funds hereinabove appropriated to the Forestry Division shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III, B (3) (a) of this Act. It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$400,000.00 for each of the fiscal years ending September 30, 1970 and September 30, 1971 then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$535,900.00 for the fiscal year ending September 30, 1970 and September 30, 1971, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry.

(c) Game and Fish Division:

For the fiscal year ending September 30, 1970:

For salaries	1,605,000.00
For other expenses	760,000.00
For equipment purchases	104,000.00
For automotive equipment purchases	121,000.00
For transfer to Conservation Department-Administrative Account	224,591.00

Total	2,814,591.00
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For the fiscal year ending September 30, 1971:

For salaries	1,685,000.00
For other expenses	761,000.00
For equipment purchases	95,000.00
For automotive equipment purchases	117,000.00
For transfer to Conservation Department-Administrative Account	224,591.00

Total	2,882,591.00
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The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(d) State Lands Division:

For the fiscal year ending September 30, 1970:

For salaries	55,000.00
For other expenses	14,000.00
For equipment purchases	3,000.00
For automotive equipment purchases	2,500.00
For transfer to Conservation Department-Administrative Account	5,575.00

Total	80,075.00
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For the fiscal year ending September 30, 1971:

For salaries	56,000.00
For other expenses	16,000.00
For equipment purchases	1,200.00
For automotive equipment purchases	4,300.00
For transfer to Conservation Department-Administrative Account	5,575.00

Total	83,075.00
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The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (b) of this Act.

(e) State Parks Division:

For the fiscal year ending September 30, 1970:

For salaries	455,000.00
For other expenses	260,000.00
For equipment purchases	11,000.00
For automotive equipment purchases	14,000.00
For transfer to Conservation Department-Administrative Account	88,748.00

Total	828,748.00
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For the fiscal year ending September 30, 1971:

For salaries	481,500.00
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For other expenses	260,000.00
For equipment purchases	11,000.00
For automotive equipment purchases	14,000.00
For transfer to Conservation Department-Administrative Account	88,748.00

Total	855,248.00
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The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund.

(f) Seafoods Division:

For the fiscal year ending September 30, 1970:	
For salaries	250,000.00
For other expenses	105,000.00
For equipment purchases	27,700.00
For automotive equipment purchases	2,300.00
For transfer to Conservation Department-Administrative Account	54,198.00
For Gulf State Marine Fisheries Commission	5,000.00
For entertainment of the Gulf State Fisheries Convention ..	1,200.00

Total	445,398.00
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For the fiscal year ending September 30, 1971:	
For salaries	261,000.00
For other expenses	110,000.00
For equipment purchases	20,000.00
For automotive equipment purchases	10,000.00
For transfer to Conservation Department-Administrative Account	54,198.00
For Gulf State Marine Fisheries Commission	5,000.00

Total	460,198.00
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In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Daphne Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division Programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

(g) Water Safety Division:

For the fiscal year ending September 30, 1970:	
For salaries	325,000.00

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For other expenses	129,000.00
For equipment purchases	33,000.00
For automotive equipment purchases	27,000.00
For transfer to Conservation Department-Administrative Account	41,698.00

Total 555,698.00

For the fiscal year ending September 30, 1971:	
For salaries	345,000.00
For other expenses	130,000.00
For equipment purchases	22,000.00
For automotive equipment purchases	18,000.00
For transfer to Conservation Department-Administrative Account	41,698.00

Total 556,698.00

The funds hereinabove appropriated to the
Water Safety Division shall be paid out
of the State Water Safety Fund.

(14) STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For the fiscal year ending September 30, 1970:	
For salaries	45,850.00
For other expenses	20,000.00
For equipment purchases	2,000.00

Total 67,850.00

For the fiscal year ending September 30, 1971:	
For salaries	46,600.00
For other expenses	20,000.00
For equipment purchases	2,000.00

Total 68,600.00

In addition to the amounts appropriated herein-
above to the State Licensing Board for General
Contractors, there is hereby appropriated such
an amount as may be necessary to pay the re-
fund of any application for license which may
have been rejected by the Board or application
withdrawn by request of applicant.

The above appropriation is payable out of the
funds in the State Treasury to the credit of
the State Licensing Board for General Contrac-
tors pursuant to Title 46, Chapter 4, Code of
Alabama 1940.

(15) BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1970:	
For the salary of the Commissioner	15,000.00
For other salaries	3,397,000.00
For other expenses	3,110,000.00
For equipment purchases	80,000.00

For automotive equipment purchases	70,000.00	
For Debt Service, estimated	63,306.00	
For transfer to the State Personnel Department	9,780.00	
For transfer to the Attorney General's Department	12,400.00	
Total		6,757,486.00

For the fiscal year ending September 30, 1971:		
For the salary of the Commissioner	15,000.00	
For other salaries	3,478,000.00	
For other expenses	3,110,000.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	70,000.00	
For transfer to the State Personnel Department	10,150.00	
For transfer to the Attorney General's Department	12,400.00	
For Debt Service, estimated	61,272.00	
Total		6,786,822.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III C (2).

(16) ALABAMA BOARD OF COSMETOLOGY:

For the fiscal year ending September 30, 1970:		
For salaries	72,100.00	
For other expenses	70,000.00	
For equipment purchases	825.00	
Total		142,925.00

For the fiscal year ending September 30, 1971:		
For salaries	72,100.00	
For other expenses	70,000.00	
For equipment purchases	475.00	
Total		142,575.00

The above appropriation shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(17) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department,		
For the fiscal year ending September 30, 1970	1,800.00	
For the fiscal year ending September 30, 1971	1,860.00	

The above appropriation shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(18) STATE BOARD OF REGISTRATION FOR PRO-

PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September 30, 1970:

For salaries	39,500.00
For other expenses	27,000.00
For equipment purchases	4,800.00

Total	71,300.00
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For the fiscal year ending September 30, 1971:

For salaries	40,000.00
For other expenses	27,000.00
For equipment purchases	1,000.00

Total	68,000.00
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The above appropriation is payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(19) FARMERS MARKET AUTHORITY:

For the fiscal year ending September 30, 1970:

For salaries	21,700.00
For other expenses	12,000.00
For equipment purchases	104.00

Total	33,804.00
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For the fiscal year ending September 30, 1971:

For salaries	21,700.00
For other expenses	12,000.00

Total	33,700.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (17) in this Act.

(20) STATE BOARD OF REGISTRATION FOR FORESTERS:

For the fiscal year ending September 30, 1970:

For other expenses	2,500.00
For equipment purchases	500.00

Total	3,000.00
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For the fiscal year ending September 30, 1971:

For other expenses	2,500.00
For equipment purchases	700.00

Total	3,200.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Professional Forester's Fund.

(21) LICENSING BOARD FOR THE HEALING ARTS:

For the fiscal year ending September 30, 1970:

For salaries 28,000.00

For other expenses 4,500.00

Total 32,500.00

For the fiscal year ending September 30, 1971:

For salaries 28,500.00

For other expenses 4,500.00

Total 33,000.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts as provided in Act No. 106, 1959 Regular Session.

(22) HEALTH DEPARTMENT:

(a) Hospital Licensing:

For salaries 27,000.00

For other expenses 10,000.00

Total 37,000.00

The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriation made to the said fund as provided in Item III A (21) (h) in this Act.

(b) Bureau of Vital Statistics:

For the fiscal year ending September 30, 1970:

For salaries 234,650.00

For other expenses 29,000.00

For equipment purchases 12,000.00

Total 275,650.00

For the fiscal year ending September 30, 1971:

For salaries 227,400.00

For other expenses 30,000.00

For equipment purchases 2,000.00

Total 259,400.00

The above appropriation is payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) County Health Work:

For salaries, other expenses and equipment purchases, estimated 1,184,000.00

The above appropriation is payable from the funds transferred to this account in Item III A (21) (c) and funds transferred in Item III F (22) (f) and Item III F (22) (g) in this

Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Indigent Care:

For salaries	11,770.00	
For distribution to counties, estimated	415,505.00	
Total estimated		427,275.00

The above appropriation is payable from the funds transferred to this account in Item III A (21) (g) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(e) Medicaid:

For the operation of the Medicaid Program:	
For the fiscal year ending September 30, 1970	12,000,000.00
For the fiscal year ending September 30, 1971	17,000,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (21) (i) by this Act. In addition to the above appropriations, any funds received from the Federal Government are hereby appropriated.

(f) Health Department:

For the fiscal year ending September 30, 1970:	
For salaries	711,950.00
For transfer to the County Health Work Account	375,000.00
For study, care and treatment of cancer	85,000.00
For a Mosquito Control Project in Baldwin and Mobile Counties:	
For salaries, other expenses and equipment purchases	25,000.00
Total	<u>1,196,950.00</u>

For the fiscal year ending September 30, 1971:	
For salaries	669,000.00
For transfer to the County Health Work Account	375,000.00
For study, care and treatment of cancer	85,000.00
For a Mosquito Control Project in Baldwin and Mobile Counties:	
For salaries, other expenses and equipment purchases	25,000.00
Total	

The above appropriation is payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(g) Health Department:

For the fiscal year ending September 30, 1970:

For salaries	500,000.00
For other expenses	562,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

For a Mosquito Control Project in Baldwin and Mobile Counties:

For salaries, other expenses and equipment purchases	25,000.00
For purchase of drugs for the treatment of tuberculosis	50,000.00

Total	1,546,000.00
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For the fiscal year ending September 30, 1971:

For salaries	650,000.00
For other expenses	550,000.00
For equipment purchases	25,000.00
For transfer to the County Health Work Account	384,000.00

For a Mosquito Control Project in Baldwin and Mobile Counties:

For salaries, other expenses and equipment purchases	25,000.00
For purchase of drugs for the treatment of tuberculosis	50,000.00

Total	1,684,000.00
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The above appropriation is payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

(23) HIGHWAY AND BRIDGES:

For the fiscal year ending September 30, 1970:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$17,500.00; for transfer to the State Personnel Department the sum of \$89,030.00; for transfer to the Attorney General's Department \$66,600.00; for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department; and all funds accruing to the Highway Department by virtue of Federal Aid.

For the fiscal year ending September 30, 1971:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compen-

sation of the State Highway Director, \$17,500.00; for transfer to the State Personnel Department the sum of \$92,540.00; for transfer to the Attorney General's Department \$66,600.00; for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department; and all funds accruing to the Highway Department; by virtue of Federal Aid.

(24) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:

For salaries, other expenses and equipment purchases	50,000.00
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The above appropriation is payable from the funds transferred to this account in Item III A (22) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(25) ALABAMA HISTORICAL COMMISSION:

For the fiscal year ending September 30, 1970:

For salaries	28,800.00
For other expenses	10,000.00
For equipment purchases	500.00
For restoration and preservation of property	25,000.00

Total	64,300.00
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For the fiscal year ending September 30, 1971:

For salaries	29,650.00
For other expenses	10,000.00
For equipment purchases	500.00
For restoration and preservation of property	25,000.00

Total	65,150.00
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The above appropriation shall be paid from the Alabama Historical Commission Fund and shall include appropriation made in Item III A (23) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(26) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the fiscal year ending September 30, 1970:	
For the salary of the Director, estimated	17,000.00
For transfer to the State Personnel Department	18,490.00
For the fiscal year ending September 30, 1971:	
For salary of the Director, estimated	17,000.00
For transfer to the State Personnel Department	19,200.00
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds,	

services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (26), all such sums as the United States Government may make available therefor.

(27) STATE INSURANCE FUND:

For the fiscal year ending September 30, 1970:		
For salaries	80,000.00	
For other expenses	27,000.00	
For automotive equipment purchases	5,400.00	
Total		112,400.00
For the fiscal year ending September 30, 1971:		
For salaries	80,000.00	
For other expenses	27,000.00	
For equipment purchases	500.00	
For automotive equipment purchases	5,400.00	
Total		112,900.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(28) LAW ENFORCEMENT FUND 8,000.00

The above appropriation shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such fund are limited to the amount appropriated herein.

(29) LIQUEFIED PETROLEUM GAS BOARD:

For salary of Director	11,000.00	
For other salaries	27,600.00	
For other expenses	15,542.00	
For equipment purchases	1,050.00	
For automotive equipment purchases	2,600.00	
Total		57,792.00

The above appropriation shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(30) SPECIAL MENTAL HEALTH FUND:

- (a) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI,

For the fiscal year ending September 30, 1970	195,962.50
For the fiscal year ending September 30, 1971	197,181.25

- (b) To Auburn University,

Psychology Department, for the training of psychologists	5,500.00
(c) To the State Mental Health Department:	
For operation and maintenance,	
For the fiscal year ending September 30, 1970	16,628,537.50
For the fiscal year ending September 30, 1971	17,432,318.75
(d) To the State Mental Health Department, to provide drugs to medically indigent mental patients not hospitalized at the time of receiving drugs at the Alabama State Hospitals	200,000.00
(e) To the Board of Trustees of the University of Alabama: For the Medical College of Alabama, for salaries, stipends and scholarships in psychiatry; for the training of professional mental health personnel and psychiatric nurses, and for state indigent mental patients	1,585,000.00
(f) To University of Alabama, Psychological Clinic for the training of psychologists	100,000.00
(g) To the Board of Corrections for construction of a psychiatric building at the medical and diagnostic center at Mount Meigs	500,000.00
(The above appropriation is conditional upon the condition of the Special Mental Health Fund and with the approval of the Governor.)	
The appropriations herein made shall be paid from the funds deposited in the State Treasury to the credit of the Special Mental Health Fund.	
(31) STATE DEPARTMENT OF MENTAL HEALTH:	
For the fiscal year ending September 30, 1970:	
For transfer to the State Personnel Department	56,120.00
For the fiscal year ending September 30, 1971:	
For transfer to the State Personnel Department	58,270.00
For the support, maintenance and capital expenditures the several sums appropriated by Items III F (4) (a) and III F (30) (c) (d) of this Act and the amounts provided in Act No. 654, 1965 Regular Session and Act No. 275, 1967 Regular Session, are hereby appropriated. Expenditures to be made at the direction of the Alabama Mental Health Board.	
(32) ALABAMA MILK CONTROL BOARD:	
For salaries	109,500.00
For other expenses	55,000.00
For equipment purchases	1,500.00
Total	166,000.00
The above appropriation shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.	
(33) BOARD OF NURSES' EXAMINERS AND REGISTRATION:	
For the fiscal year ending September 30, 1970:	

For salaries	71,600.00	
For other expenses	43,000.00	
For automotive equipment purchases	2,500.00	
Total		117,100.00
For the fiscal year ending September 30, 1971:		
For salaries	71,600.00	
For other expenses	46,700.00	
Total		118,300.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(34) PENSIONS:

- (a) For Confederate Veterans and their widows:
Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(35) DEPARTMENT OF PENSIONS AND SECURITY:

For the fiscal year ending September 30, 1970:	
For the salary of the Commissioner	14,000.00
For transfer to the State Personnel Department	34,270.00
For the fiscal year ending September 30, 1971:	
For the salary of the Commissioner	14,000.00
For transfer to State Personnel Department	35,580.00
For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (34), all Federal, State, County and Municipal funds made available therefor, provided that not more than the sum of \$7,900,000.00 for each of the fiscal years ending September 30, 1970 and September 30, 1971, of the State funds herein appropriated for welfare purposes may be used for administrative purposes of the Department, including employer's contribution to the Federal old age, survivors and disability insurance program; provided, further, that not more than twenty-seven and one-half per centum of the State funds appropriated herein for welfare purposes may be allotted in any one quarter of a fiscal year.	

(36) PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1970:	
For salary of the Director	13,000.00
For other salaries	233,400.00
For other expenses	62,500.00

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For equipment purchases	2,000.00	
Total		310,900.00

For the fiscal year ending September 30, 1971:

For salary of the Director	13,000.00	
For other salaries	243,100.00	
For other expenses	62,500.00	
For equipment purchases	2,000.00	
Total		320,600.00

The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(37) ALABAMA PROGRAM DEVELOPMENT OFFICE:

For salaries, other expenses and equipment purchases	115,000.00
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The above appropriation shall be paid from Alabama Program Development Office Fund and shall include appropriations made in Item III A (38) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Program Development Office from whatever source are hereby appropriated.

(38) BUREAU OF PUBLICITY AND INFORMATION:

For the fiscal year ending September 30, 1970:

For salaries	29,300.00	
For other expenses	50,000.00	
For equipment purchases	13,500.00	
For automotive equipment purchases	4,000.00	
For advertising	220,134.00	
For Welcome Centers:		
Operation and Maintenance	100,000.00	

Total	416,934.00
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For the fiscal year ending September 30, 1971:

For salaries	31,400.00	
For other expenses	60,000.00	
For advertising	275,648.00	
For Welcome Centers:		
Operation and Maintenance	100,000.00	

Total	467,048.00
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The above appropriation shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(39) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sec-

tions 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(40) PUBLIC SERVICE COMMISSION:

For the fiscal year ending September 30, 1970:

For salary of the President and Two Associate Commissioners	54,500.00
For other salaries	344,250.00
For other expenses	137,500.00
For equipment purchases	3,000.00
For automotive equipment purchases	34,500.00

Total	573,750.00
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For the fiscal year ending September 30, 1971:

For salary of the President and Two Associate Commissioners	54,500.00
For other salaries	371,000.00
For other expenses	142,500.00
For equipment purchases	2,000.00
For automotive equipment purchases	15,000.00

Total	585,000.00
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The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of a fiscal year in excess of \$100,000.00 shall be transferred to the State General Fund.

(41) ALABAMA REAL ESTATE COMMISSION:

For the fiscal year ending September 30, 1970:

For salaries	32,600.00
For other expenses	26,784.00
For equipment purchases	800.00

Total	60,184.00
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For the fiscal year ending September 30, 1971:

For salaries	32,600.00
For other expenses	26,784.00
For equipment purchases	500.00

Total	59,884.00
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The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code

of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(42) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (41) (a) of this Act.	
For the fiscal year ending September 30, 1970	763,488.00
For the fiscal year ending September 30, 1971	796,944.00
For the fiscal year ending September 30, 1971, only, conditional upon the condition of the General Fund and with the approval of the Governor	1,000,000.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30 1970	84,040.00
For the fiscal year ending September 30, 1971	87,717.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	85,625.00
For the fiscal year ending September 30, 1971	89,373.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	563,695.00
For the fiscal year ending September 30, 1971	588,374.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax collections, for the cost of collecting said tax,	
For the fiscal year ending September 30, 1970	1,871,846.00
For the fiscal year ending September 30, 1971	1,953,795.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	325,849.00
For the fiscal year ending September 30, 1971	340,114.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,	
For the fiscal year ending September 30, 1970	329,812.00
For the fiscal year ending September 30, 1971	344,252.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from	

the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1970	99,895.00
For the fiscal year ending September 30, 1971	104,269.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1970	248,152.00
For the fiscal year ending September 30, 1971	259,016.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	2,604,414.00
For the fiscal year ending September 30, 1971	2,718,432.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	49,155.00
For the fiscal year ending September 30, 1971	51,307.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	536,740.00
For the fiscal year ending September 30, 1971	560,237.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	256,873.00
For the fiscal year ending September 30, 1971	268,120.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Cigarette Tax collections Act 275, 1967 Regular Session as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1970	108,616.00
For the fiscal year ending September 30, 1971	113,370.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Utility Tax collections as provided in Act No. 37, 1969 Special Session	
For the fiscal year ending September 30, 1970:	175,000.00
Total	8,103,200.00
For the fiscal year ending September 30, 1971:	
Total	8,450,320.00
For the fiscal year ending September 30, 1971, only, conditional upon the condition of the funds transferred to the Revenue Department and with the approval of the Governor:	
Total	1,000,000.00

There is hereby appropriated to the Revenue Department from the gross proceeds of Motor Vehicle License collections for the purchase only, of Motor Vehicle License tags,

For the fiscal year ending September 30, 1970	1,115,000.00
For the fiscal year ending September 30, 1971	1,160,000.00

(43) DEPARTMENT OF REVENUE—ADMINISTRATIVE ACCOUNT:

For the fiscal year ending September 30, 1970:

For the salary of the Commissioner	17,000.00
For other salaries	5,705,000.00
For other expenses	1,778,100.00
For equipment purchases	28,500.00
For automotive equipment purchases	12,500.00
For transfer to State Personnel Department	12,600.00

Total	7,553,700.00
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For the fiscal year ending September 30, 1971:

For the salary of the Commissioner	17,000.00
For other salaries	5,991,300.00
For other expenses	1,812,250.00
For equipment purchases	29,070.00
For automotive equipment purchases	12,500.00
For transfer to State Personnel Department	13,100.00

Total	7,875,220.00
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For salaries, other expenses and equipment purchases for the fiscal year ending September 30, 1971, only, conditional upon the payment of the conditional transfer from the General Fund to the Revenue Department

1,000,000.00

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.

(44) STATE BOARD OF REGISTRATION FOR SANITARIANS:

For salaries	700.00
For other expenses	1,200.00

Total	1,900.00
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The above appropriation shall be paid from the receipts collected under the provisions of Act No. 209, Second Special Session, 1964.

(45) TEMPERANCE EDUCATION:

For salaries	34,500.00	
For other expenses	12,000.00	
Total		46,500.00

The appropriation hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(46) ALABAMA THERAPIST BOARD:

For other expenses	2,000.00
The above appropriation shall be paid from receipts paid into the Alabama Therapist Board Fund.	

(47) UNIVERSITY OF ALABAMA—MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry	23,000.00
The above appropriation shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.	

(48) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	5,650.00	
Total		5,750.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as 'estimated', and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of

alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1969.

Yeas 90; Nays 2.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owens (W)
Adwell	Dobbs	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Malone	Sessions
Blanton	Foshee	Manley	Shumate
Bowers	Gafford	Marr	Slate
Brannan	Gloor	Mathews	Smith
Brassell	Graham	Mays	Snell
Brown	Grainger	McCorquodale	Springer
Burgess	Hain	McElhaney	Starnes
Burgreen	Hardin	McLain	Steagall
Cameron	Harris	Meade	Stembridge
Collier	Haygood	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Neville	Yelding
Crawford	Holman	Owen (Baldwin)	Young
Culver	House		

—90

Nays: Messrs. Garrett and Jackson (T)

—2

And said bill, H. 621:

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended by the Senate amendment, was again read at length and passed.

Yeas 90; Nays 2.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owens (W)
Adwell	Dobbs	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Malone	Sessions
Blanton	Foshee	Manley	Shumate
Bowers	Gafford	Marr	Slate
Brannan	Gloor	Mathews	Smith
Brassell	Graham	Mays	Snell
Brown	Grainger	McCorquodale	Springer
Burgess	Hain	McElhanev	Starnes
Burgreen	Hardin	McLain	Steagall
Cameron	Harris	Meade	Stembridge
Collier	Haygood	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Culver	House		

—90

Nays: Messrs. Garrett and Jackson (T)

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 622. To make appropriations from the State Treasury for Capital improvements.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the Senate amendment to the bill, H. 622, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To make appropriations from the State Treasury for Capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for the fiscal years ending September 30, 1970, and September 30, 1971, to be used for Capital improvements only, the following amounts for the specific projects:

Section 2. STATE BUILDING COMMISSION:

For the fiscal year ending September 30, 1970:

(a) For construction and equipping a building for the use of the Department of Agriculture and Industries	1,500,000.00	
(b) For construction and equipping of additions to the Archives and History building for the use of the Department of Archives and History	1,000,000.00	
(c) For construction and equipping a Cafeteria for the use of the Alabama Industrial School—Mt. Meigs	500,000.00	
Total		3,000,000.00

The above appropriations in subsections (a), (b), and (c) shall be paid from the State General Fund.

(d) For construction and equipping Welcome Centers for the use of the Bureau of Publicity and Information for each of the fiscal years ending September 30, 1970, and September 30, 1971	35,000.00
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The above appropriations in subsection (d) shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

Section 3. FARMERS' MARKET AUTHORITY:

There is hereby appropriated to the Farmers' Market Authority, for the purpose of acquiring, erecting, constructing, and equipping farmers' markets.

For the fiscal year ending September 30, 1970	300,000.00
For the fiscal year ending September 30, 1971	50,000.00

The above appropriations shall be paid from the State General Fund and is conditional upon the condition of the Treasury and with the approval of the Governor.

Section 4. ARMORY COMMISSION:

For the fiscal year ending September 30, 1970:

For the construction of an Armory at Athens	10,000.00
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For the construction of an Armory at Decatur	70,000.00	
For necessary repairs and improvements to Fort Whiting Armory—Mobile	60,000.00	
For the purchase of land from Republic Steel Corporation for Lewisburg Rifle Range, Birmingham	13,000.00	
Total		153,000.00
For the fiscal year ending September 30, 1971:		
For necessary repairs and improvements to Fort John C. Persons Armory	60,000.00	
For the construction of an Armory at Ariton	45,000.00	
Total		105,000.00

The above appropriations shall be paid from the State General Fund.

Section 5. LIVESTOCK COLISEUM:

For the fiscal year ending September 30, 1970:		
For portable hardwood floor for Coliseum Arena	53,000.00	
For portable steel arena risers for portable seating	31,000.00	
For sign or Marque at the Coliseum	18,000.00	
For updating sound system in Coliseum	27,000.00	
For painting the Coliseum	35,350.00	
For additional fire hydrant at Coliseum	6,000.00	
For a new exhibit building	53,000.00	
For beautification of Coliseum Grounds	10,000.00	
For construction of Cattle Chutes and Pens	10,000.00	
Total	243,350.00	

The above appropriations shall be paid from the State General Fund.

Section 6. DEPARTMENT OF CONSERVATION:

(a) Game and Fish Division:

For the fiscal year ending September 30, 1970:		
For Construction, Improvements and Repairs of Public Lakes and Access Areas	200,000.00	
For the fiscal year ending September 30, 1971:		
For Construction, Improvements and Repairs of Public Lakes and Access Areas	100,000.00	
The above appropriations shall be paid from the Game and Fish Fund.		

(b) Division of Forestry:

For the fiscal year ending September 30, 1970:	
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For purchases of Tower Sites	400.00	
For purchase of materials for Latrines	600.00	
For bathroom fixtures and sewage disposal systems—Dwellings	1,299.00	
For bathroom fixtures and sewage disposal systems—Office	300.00	
For bathroom—Addition to dwelling	500.00	
For sewage disposal system—State Forest	750.00	
For picnic tables—Concrete	375.00	
For fencing material	1,136.00	
Total		5,360.00

For the fiscal year ending September 30, 1971:

For Latrines	600.00	
For bathroom fixtures and sewage disposal systems	850.00	
For bathroom—Added to Dwelling	500.00	
For well, pump, tank and pumphouse	4,000.00	
For tower site—land purchases	400.00	
For materials for fencing state owned lands—Tower Sites	1,118.00	
Total		7,468.00

The above appropriations shall be paid from the Forestry Fund.

(c) Seafood Division:

For the fiscal year ending September 30, 1970:

Oyster and Shrimp improvements	25,000.00	
Laboratory payments	54,000.00	
Boat Slip and Shop building	15,000.00	
Total		94,000.00

For the fiscal year ending September 30, 1971:

Oyster and Shrimp improvements	25,000.00	
Site and Construction of Aquaculture station	45,000.00	
Total		70,000.00

The above appropriations shall be paid from the Seafood Fund.

The amounts herein appropriated to the several divisions of the Department of Conservation are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items exceed the amount allocated herein, except in the event of an emergency so determined by the Director of Conservation and the Governor any portion of the amounts herein appropriated may

be expended to pay the cost of such emergency.

Section 7. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the fiscal year ending September 30, 1970:

For Draper Prison:	
For remodeling kitchen	52,300.00
For construction of Guard Towers	10,000.00
For reroofing prison	5,500.00
For repairs to electric system	3,000.00
For installation of baths	29,200.00

Total	100,000.00
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For the fiscal year ending September 30, 1971:

(a) For Atmore Prison:

For construction of a hay barn	1,800.00
For construction of a warehouse	6,500.00
For construction of an equipment shed	4,400.00
For painting and repairs	10,000.00
For repairs to Employees houses	52,800.00

Total	75,500.00
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(b) For Draper Prison:

For construction of a warehouse	3,200.00
For construction of an ear corn barn	3,400.00
For a grist mill	2,900.00
For repairs to Employees houses	10,000.00

Total	19,500.00
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(c) For Tutwiler Prison:

For reroofing prison	3,000.00
For repairs to heating system	2,000.00

Total	5,000.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Department of Corrections and Institutions.

Section 8. DAUPHIN ISLAND PARK AND BEACH BOARD:

For the fiscal year ending September 30, 1970:

Reroofing Casino Building	10,000.00
Repairs and Renovation to downstairs interior of Casino building	61,000.00
Installation of Toilet facilities at Fort Gaines Trailer Park	29,000.00

Total	100,000.00
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For the fiscal year ending September 30, 1971:

For repairs and renovations to Casino Building exterior	52,000.00
Repairs and renovation to upstairs interior of Casino building	27,000.00
For parking facilities and beach area	21,000.00

Total	100,000.00
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The above appropriations are payable from the State General Fund.

Section 9. PIKE COUNTY FAIR:

For the fiscal year ending September 30, 1970:

For the construction of a Pike County Agricultural Center Building	10,000.00
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The above appropriation shall be paid from the State General Fund.

Section 10. NORTHWEST ALABAMA JUNIOR COLLEGE:

For the fiscal year ending September 30, 1970:

For the construction of a lake at the Northwest Alabama Junior College	25,000.00
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The above appropriation shall be paid from the Alabama Special Educational Trust Fund.

Section 11. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 12. This Act shall become effective October 1, 1969.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Bowers	Garrett	Manley	Shumate
Brannan	Gloor	Marr	Slate
Brassell	Graham	Mathews	Smith
Brown	Grainger	Mays	Snell
Burgess	Hain	McCorquodale	Springer
Burgreen	Hardin	McDonald	Starnes
Cameron	Harris	McElhaney	Steagall
Collier	Haygood	McLain	Stembridge
Collins (C)	Headley	Meade	Stubbs
Cook (Coffee)	Higginbotham	Meeks	Tuck
Cook (Jefferson)	Hill	Melton	Turnham
Crawford	Hobbie	Merrill	Waggoner
Culver	Holman	Money	Watkins
Dill	House	Nettles	Williams
Dobbs	Jackson (F)	Neville	Wood
Doss	Jackson (T)	Owen (Baldwin)	Wright
Downing	Jones	Owens (W)	Young

And said bill, H. 622:

To make appropriations from the State Treasury for Capital improvements.

As amended by the Senate amendment, was again read at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Bowers	Garrett	Manley	Shumate
Brannan	Gloor	Marr	Slate
Brassell	Graham	Mathews	Smith
Brown	Grainger	Mays	Snell
Burgess	Hain	McCorquodale	Springer
Burgreen	Hardin	McDonald	Starnes
Cameron	Harris	McElhaney	Steagall
Collier	Haygood	McLain	Stembridge
Collins (C)	Headley	Meade	Stubbs
Cook (Coffee)	Higginbotham	Meeks	Tuck
Cook (Jefferson)	Hill	Melton	Turnham
Crawford	Hobbie	Merrill	Waggoner
Culver	Holman	Money	Watkins
Dill	House	Nettles	Williams
Dobbs	Jackson (F)	Neville	Wood
Doss	Jackson (T)	Owen (Baldwin)	Wright
Downing	Jones	Owens (W)	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 283. To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the House concurred in and adopted the Senate amendment to the bill, H. 283, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To raise revenue by levying a privilege or excise tax, in addition to

all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The words and phrases "person," "malt or brewed beverages," "sale" and "sell," wherever used in this act, shall have the meanings respectively ascribed to them in Section 1 of Title 29 of the Code of Alabama of 1940.

Section 2. Levy of Tax. In addition to all other taxes now imposed by law, and in addition to the licenses provided for by Title 29, Code of Alabama of 1940, as amended, there is hereby levied a privilege or excise tax on every person licensed under the provisions of Title 29, Code of Alabama 1940, who sells, stores or receives for the purpose of distribution to any person, firm, corporation, club, or association within the State of Alabama any malt or brewed beverages. The tax levied hereby shall be measured by and graduated in accordance with the volume of sales by such person of malt or brewed beverages, and shall be an amount equal to one cent (.01c) for each twelve fluid ounces or fractional part thereof.

Section 3. Collection. The tax hereby levied shall be collected by the Alcoholic Beverage Control Board in the same manner as other taxes and license fees are collected by it.

The tax shall be added to the sales price of all malt or brewed beverages sold, and shall be collected from the purchasers. It shall be unlawful for any person, firm, corporation, club or association who is required to pay the tax in the first instance to fail or refuse to add to the sales price and collect from the purchaser the required amount of tax, it being the intent and purpose of this provision that the tax levied is in fact a levy on the consumer, with the person, firm, corporation, club or association who pays the tax in the first instance acting merely as an agent for the state for the collection and payment of the tax.

Section 4. All revenues collected under the provisions of this act shall be paid into the State Treasury to the credit of the General Fund.

Section 5. All laws or parts of laws which conflict with the provisions of this act are hereby expressly repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 64; Nays 20.

Yeas:

Mr. Speaker	Burgess	Doss	Hobbie
Agee	Burgreen	Drake	Holladay
Bank	Cameron	Fine	House
Beck	Cook (Coffee)	Grainger	Jackson (F)
Berryman (W)	Cook (Jefferson)	Hain	Laxson
Blanton	Culver	Harris	Lemley
Brannan	Dill	Headley	Lybrand
Brassell	Dobbs	Hill	Malone

Manley	Melton	Sessions	Stubbs
Mays	Merrill	Shumate	Tuck
McCorquodale	Money	Slate	Turnham
McDonald	Neville	Smith	Waggoner
McElhaney	Owen (Baldwin)	Snell	Williams
McLain	Pearson	Springer	Wood
Meade	Pennington	Starnes	Wright
Meeks	Pruitt	Steagall	Young

—64

Nays:

Messrs.:	Downing	Hardin	Kilgore
Bassett	Ellis	Higginbotham	Nettles
Brown	Gafford	Holman	Robertson
Collier	Garrett	Jackson (T)	Stembridge
Collins (C)	Graham	Jones	Watkins
Crawford			

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen and fire fighters employed by any city in such counties; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Wood moved that the House non-concur in the Senate amendment to the bill, H. 1173, and requested a conference committee, said Senate amendment being as follows:

Strike out Section 4 in its entirety and substitute in lieu thereof the following:

"Section 4. The provisions of this Act shall become of full force and effect in each city in the counties affected hereby at such time as any such city and the county in which it is situated shall have authorized by majority vote of those electors voting on the question in such city and such county the transfer of proceeds from the one-fourth of one per centum ad valorem tax levied upon taxable property in such city under authority of Section 215 of the Constitution of Alabama, 1901, for public buildings, bridges or roads, from such county to such city."

Also, add the following section:

"Section 5. The provisions of this Act are interdependent. If any part, section or clause shall be declared invalid by any court of competent jurisdiction, the entire act shall stand repealed and shall be of no further force and effect."

The motion of Mr. Edington to table the motion of Mr. Wood to non-concur was lost.

Yeas 14; Nays 46.

Yeas:

Messrs.:	Garrett	Lyons	Nettles
Cameron	Grainger	Malone	Neville
Collins (C)	Grayson	McElhaney	Yeilding
Edington	Laxson	Meeks	—14

Nays:

Mr. Speaker	Downing	Mays	Shumate
Agee	Drake	McCorquodale	Slate
Bassett	Fine	McDonald	Snell
Beck	Foshee	Meade	Starnes
Brannan	Hardin	Melton	Stembridge
Brassell	Haygood	Merrill	Turnham
Brown	Higginbotham	Money	Waggoner
Burgreen	Hill	Owen (Baldwin)	Watkins
Collins (W)	House	Pearson	Williams
Cook (Jefferson)	Jackson (F)	Perloff	Wood
Crawford	Jackson (T)	Robertson	Wright
Doss	Lemley		—46

The question, then, was on the motion of Mr. Wood to non-concur in the Senate amendment, and request for a Conference Committee, and the motion was adopted.

Yeas 60; Nays 7.

Yeas:

Mr. Speaker	Culver	House	Pennington
Agee	Doss	Jackson (F)	Perloff
Bassett	Downing	Jones	Robertson
Beck	Drake	Laxson	Shumate
Berryman (W)	Fine	Lemley	Slate
Bowers	Foshee	Malone	Snell
Brannan	Garrett	Mays	Starnes
Brown	Graham	McCorquodale	Stembridge
Burgess	Hardin	McLain	Turnham
Burgreen	Harris	Meade	Waggoner
Cameron	Haygood	Melton	Watkins
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hill	Owen (Baldwin)	Wright
Crawford	Holman	Pearson	Yeilding
			—60

Nays:

Messrs.:	Edington	Lyons	Meeks
Collins (C)	Grayson	McElhaney	Nettles
			—7

COMMITTEE OF CONFERENCE APPOINTED

The Speaker named as a Committee of Conference on the part of the House on the bill, H. 1173, Messrs. Marr, Perloff and Downing.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1258. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the House concurred in and adopted the Senate amendment to the bill, H. 1258, said Senate amendment being as follows:

Amend Section 7(b) to read as follows:

(b) Regular sessions of the Court for the trial of civil and criminal cases shall be held at the county courthouse in Clayton on the first Wednesday of each month, and in Louisville on the second Wednesday of each month, and in Clio on the third Wednesday of each month. Suitable places for the holding of court shall be provided in Louisville and Clio by the county governing body. When request is made in writing by a defendant, the judge shall set the case for trial at Clayton, or Louisville, or Clio, in accordance with said request. If such request is made after the defendant has made his answer and the case has once been set and witnesses have been summoned, or after the parties are present in Court on the day set for trial, the judge may, in his discretion, grant such request and may make the taxing of costs and expenses, including attorney's fees, a condition for resetting the case. When conflicting requests are made by co-defendants, the judge may set the case for trial in any of said towns for which requests were made, in his discretion.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owen (Baldwin)
Agee	Drake	Jackson (F)	Pearson
Bank	Edington	Jackson (T)	Pruitt
Bassett	Ellis	Jones	Sessions
Beck	Fine	Kilgore	Shumate
Berryman (W)	Gafford	Laxson	Slate
Blanton	Garrett	Lemley	Smith
Bowers	Gloor	Lyons	Snell
Brannan	Graham	Malone	Springer
Brassell	Grainger	Manley	Starnes
Brown	Grayson	Mays	Steagall
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collier	Haygood	Meeks	Turnham
Cook (Coffee)	Headley	Melton	Waggoner
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crawford	Hill	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	Holladay	Neville	Young
Dobbs	Holman		

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 121. Joining with the city of Tallassee in commending Mr. J. G. "Hot" O'Brien on his distinguished career with Tallassee High School.

Also:

H. J. R. 122. Relative to the Tombigbee Valley Development Authority.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 189. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lybrand, the House concurred in and adopted the Senate amendment to the bill, H. 189, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a Director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a Deputy Director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities

Commissioner, along with the records, files, furniture, personnel and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama Securities law to the Alabama Securities Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Securities Commission. There is hereby created the Alabama Securities Commission. The Commission shall be responsible for the enforcement of laws governing the issuance, sale and other transactions relative to securities.

Section 2. Members, Appointment, Liability. (a) The Commission shall consist of the Attorney General of Alabama, the State Superintendent of Banks, the State Superintendent of Insurance, and two members appointed by the Governor by and with the advice and consent of the Senate. One appointed member shall be a member of the Alabama Bar Association appointed from a list of three nominees submitted by the Bar Association; and one member shall be a certified public accountant appointed from a list of three nominees submitted by the Alabama Society of Certified Public Accountants.

(b) No person may be appointed to or by the Commission while he is registered as a dealer or salesman under the Securities Act of 1959, or while he is an officer, director, or partner of any person so registered, or while he is an officer, director, or partner of an issuer which has a registration statement effective under the Securities Act of 1959, or while he is occupying a similar status or performing similar functions.

(c) It is unlawful for any member of the Commission, the Director or any other officer or employee of the Commission to use for personal benefit any information which is filed with or obtained by the Director and which is not made public. No provision of this Act authorizes any member of the Commission, the Director or any other officer or employee of the Commission to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under this Act. No provision of this Act either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to any member of the Commission, the Director or any other officer or employee of the Commission.

(d) Except upon proof of corruption, no Commissioner shall for his acts or his failure to act be civilly liable to any investor, applicant for registration, or any other person.

Section 3. Terms of Office—Vacancies. The Governor shall biennially appoint one Commission member to serve for a term of four years; provided, however, that the Governor shall for the initial appointments designate one member to serve for a term of two years; and one member to serve for a term of four years from their respective dates of appointment and qualification. Upon the expiration of these initial terms, the term of each member shall be four years from the date of his appointment and qualification, and until his successor shall qualify. Vacancies shall be filled by the Governor for the unexpired term. Members shall be eligible for reappointment.

Section 4. Chairman—Quorum—Meetings—Reports. The Commission shall select a chairman and is hereby authorized to adopt rules for conducting its proceedings. Any three members shall constitute a quorum for transacting commission business. The Commission shall meet monthly on such date as it may designate and may meet at such

other times as it may deem necessary, or when called by the chairman or by any two members. Complete minutes of each meeting shall be kept and filed in the Office of the Commission and shall be available for public inspection during reasonable office hours. The Commission shall report annually to the Governor, to the Legislature and to the State Legislative Council. The report shall contain the minutes of each meeting held during the year, legislative recommendations, a summary of violations of this Act and action taken thereof, and such other data and information as may be deemed necessary or appropriate. Each member of the Commission shall have unrestricted access to all offices and records under the jurisdiction of the Commission. The Commission, or a majority thereof, may exercise any power or perform any act which the Director is authorized to perform under the provisions of this Act.

Section 5. Mileage and Per Diem. Each appointed member of the Commission shall be paid fifty dollars (\$50.00) per day, for a period not to exceed a total of sixty days in any one calendar year, while engaged in the performance of his duties, and shall receive mileage and per diem as provided by Code of Alabama 1940, Title 41, Chapter 4, Article 4, as amended and supplemented. Ex-officio members shall not be entitled to any extra compensation for performing their duties under this Act.

Section 6. Appointment of Securities Director. The Commission shall appoint a full-time Director who shall be a career employee subject to the provisions of the Alabama Merit System law and whose employment may be terminated only for cause; provided however, that the first Director shall be designated in the manner prescribed by Section 12 of this Act. The Director shall administer the Alabama Securities Act under the supervision of the Commission and in accordance with its policies.

Section 7. Qualifications—Salary of Director. The Director shall be a person of good moral character, at least thirty years of age, a resident of Alabama, a member of the Alabama Bar and shall be thoroughly familiar with corporate organization, investment banking, investment trusts, the sale of securities and the statistical details of the manufacturing industries and commerce of this State. The Commission may also require additional qualifications. The Director, while serving as such, shall not directly or indirectly be financially interested in or associated with any commercial bank, savings bank, trust company, industrial loan or investment company, credit union, building and loan association, or any other person subject to the jurisdiction of the Commission or the Director thereof. The salary of the Director shall be equal to the maximum salary payable to attorneys in the Merit System classification of Attorney III.

Section 8. Deputy Director. The Director, with the approval of the Commission and subject to the provisions of the Merit System law may designate a Deputy Director who shall possess qualifications fixed by the Commission with the approval of the Personnel Department and who shall perform such duties as the Director shall designate, and in the absence of the Director or his inability to act, the Deputy Director shall perform such duties as are required to be performed by the Director. The compensation of the Deputy Director shall be fixed by the Commission subject to the approval of the Personnel Department in the salary range payable to attorneys in the Merit System classification of Attorney II.

Section 9. Bonds. Before assuming office, the Director shall give a bond in the sum of fifty thousand (\$50,000) payable to the State of Alabama, to be approved by the Attorney General of Alabama, and filed in the office of the Secretary of State. Such bond shall be conditioned

that he will faithfully execute the duties of his office. The Director may by rule or order require any employee of the Commission to be bonded on the same condition and in the same or such lesser amount as he determines. The expense of all such bonds shall be paid from funds available to the Commission.

Section 10. Personnel. Subject to the provisions of Section 12 of this Act, the Director shall prepare in writing a manual of necessary employee positions for the Commission, including job classifications, personnel qualifications, duties, maximum and minimum salary schedules, and other personnel information for approval by the Commission. The Director may, subject to the provisions of the Merit System law and Section 12 of this Act, select, appoint, and employ such accountants, auditors, financial analysts, examiners, clerks, stenographers and other personnel as he deems necessary for the proper administration of the Alabama Securities law.

Section 11. Place of Office. The Commission and the Director shall maintain offices in the Capital City of the State, and all records of the Commission shall be kept at these offices.

Section 12. Abolition of Office of Securities Commissioner—Transfers of Powers, Duties, Functions and Personnel. The Office of State Securities Commissioner and Assistant Securities Commissioner existing pursuant to Act No. 542 of 1959, are hereby abolished; provided, however, that the present Assistant Securities Commissioner shall be the first Director of the Alabama Securities Commission. All the authority, powers, duties, rights, privileges and immunities now vested in the Securities Commissioner are hereby transferred to and vested in the Alabama Securities Commission. All the authority, powers, duties, rights, privileges and immunities now vested in the Assistant Securities Commissioner are hereby transferred to and vested in the Director of the Securities Commission. Whenever in the laws of the State of Alabama the term "Securities Commissioner" is used the same shall mean the Alabama Securities Commission. All of the records, files, furniture, equipment, other property and classified personnel of the Office of the Securities Commissioner, together with the unexpended portion of the funds appropriated for salaries and expenses therefor, as of the effective date hereof, are hereby transferred to the Securities Commission created by this Act.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective on October 1, 1969; however, the members of the Alabama Securities Commission shall be appointed and shall qualify as soon after this Act becomes law as feasible, and shall take such steps as are needed to provide for the organization of the Alabama Securities Commission.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Blanton	Burgreen	Cook (Coffee)
Agee	Bowers	Cameron	Cook (Jefferson)
Bank	Brannan	Cherner	Crawford
Bassett	Brassell	Collier	Culver
Beck	Brown	Collins (C)	Dill
Berryman (W)	Burgess	Collins (W)	Dobbs

Downing	Higginbotham	McCorquodale	Shumate
Drake	Hill	McElhaney	Smith
Ellis	Hobbie	McLain	Snell
Fine	Holman	Meade	Springer
Foshee	House	Meeks	Starnes
Gafford	Jackson (F)	Melton	Steagall
Garrett	Jackson (T)	Merrill	Stembridge
Gloor	Jones	Money	Stubbs
Graham	Kilgore	Nettles	Tuck
Grainger	Lemley	Neville	Turnham
Grayson	Lybrand	Owen (Baldwin)	Watkins
Hain	Lyons	Pearson	Williams
Hardin	Malone	Pruitt	Wright
Harris	Manley	Robertson	Yeilding
Haygood	Mays	Sessions	Young
Headley			

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And said bill, H. 189, as thus amended:

To abolish the Office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a Director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a Deputy Director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture, personnel and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama Securities law to the Alabama Securities Commission.

Was again read a third time and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Neville
Agee	Dobbs	House	Owen (Baldwin)
Bank	Downing	Jackson (F)	Pearson
Bassett	Drake	Jackson (T)	Pruitt
Beck	Ellis	Jones	Robertson
Berryman (W)	Fine	Kilgore	Sessions
Blanton	Foshee	Lemley	Shumate
Bowers	Gafford	Lybrand	Smith
Brannan	Garrett	Lyons	Snell
Brassell	Gloor	Malone	Springer
Brown	Graham	Manley	Starnes
Burgess	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McElhaney	Stubbs
Cherner	Hardin	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Meeks	Watkins
Collins (W)	Headley	Melton	Williams
Cook (Coffee)	Higginbotham	Merrill	Wright
Cook (Jefferson)	Hill	Money	Yeilding
Crawford	Hobbie	Nettles	Young
Culver			

—85

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Higginbotham, the House concurred in and adopted the Senate amendment to the bill, H. 793, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissioners of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 230, H. 597 Regular Session 1959 (Acts 1959, p. 775) relating to the privilege or license tax on distributors or sellers of malt or brewed beverages to retailers in Lee County are amended to read as follows:

"Section 1. The court of county commissioners or like governing body of Lee County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Lee County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one per cent or more of alcohol by volume), which tax shall be in an amount equal to not more than four cents on quantities of twelve fluid ounces or less, six cents on quantities of more than twelve but not exceeding sixteen fluid ounces, and eight cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and four cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law.

"Section 2. The privilege or license tax authorized by this act shall be collected by, or under the supervision of the court of county commissioners or like governing body of Lee County. The court of county commissioners or like governing body shall apportion and distribute the proceeds of the tax to the custodian of county school fund, the custodian of the Opelika City School fund and the custodian of the

Auburn City School fund, in the same manner and at the same rate that state minimum school program funds are distributed; provided, that for each of the fiscal years ending September 30, 1970 and September 30, 1971, there shall be paid out of the proceeds of such tax to the custodian of the county school fund not less than \$150,000. If the proceeds of such tax are not adequate to pay to the county school funds such amount under the apportionment hereinabove prescribed, then \$150,000 shall be paid to the custodian of the county school funds for each of these fiscal years and the remainder of the proceeds of the tax shall be apportioned and distributed to the custodians of the city school funds of the cities of Auburn and Opelika at the same rate that state minimum program funds are distributed. Such funds shall be used solely for public school purposes."

Section 2. This act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Neville
Agee	Dobbs	House	Owen (Baldwin)
Bank	Doss	Jackson (F)	Pearson
Bassett	Downing	Jackson (T)	Pruitt
Beck	Drake	Jones	Sessions
Berryman (W)	Ellis	Kilgore	Shumate
Blanton	Fine	Lemley	Slate
Bowers	Foshee	Lyons	Smith
Brannan	Gafford	Malone	Snell
Brassell	Garrett	Manley	Springer
Brown	Gloor	Marr	Starnes
Burgess	Graham	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McElhaney	Stubbs
Cherner	Hardin	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Meeks	Watkins
Collins (W)	Headley	Melton	Williams
Cook (Coffee)	Higginbotham	Merrill	Wright
Cook (Jefferson)	Hill	Money	Yeilding
Crawford	Hobbie	Nettles	Young
Culver	Holladay		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1203. To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Beck, the House concurred in and adopted the Senate amendment to the bill, H. 1203, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 16,200 nor more than 17,200 inhabitants, according to the most recent federal decennial census, the members of the county board of education shall receive an allowance from the public school funds of the county of twenty-five dollars (\$25) a day for expenses each day they are engaged in the business of the board, not to exceed the number of days per year prescribed by law; and in the discretion of the board, each member may also receive actual expenses when traveling outside the county in transacting the business of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Agee	Dobbs	Jackson (F)	Pearson
Bank	Doss	Jackson (T)	Perloff
Bassett	Downing	Jones	Pruitt
Beck	Ellis	Kilgore	Sessions
Berryman (W)	Fine	Lemley	Shumate
Blanton	Foshee	Lyons	Smith
Bowers	Gafford	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Burgreen	Hardin	McLain	Stubbs
Cameron	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Headley	Melton	Williams
Collins (W)	Higginbotham	Merrill	Wood
Cook (Coffee)	Hill	Money	Wright
Cook (Jefferson)	Hobbie	Nettles	Yeilding
Crawford	Holman	Neville	Young
Culver			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961, (Acts of Alabama of 1961, P. 1955), as amended, which Act regulated the teaching and practice of Cosmetology in any county having a population of less than 600,000 according

to the last or any subsequent Federal Decennial Census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefore so as to make such Act applicable to all counties of the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Watkins, the House concurred in and adopted the Senate amendment to the bill, H. 1038, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

TO AMEND TITLE AND SECTION 19½ AND TO REPEAL SECTION 32 OF ACT NO. 78, SPECIAL SESSION, 1961, (ACTS OF ALABAMA OF 1961, P. 1955), AS AMENDED, WHICH ACT REGULATED THE TEACHING AND PRACTICE OF COSMETOLOGY IN ANY COUNTY HAVING A POPULATION OF LESS THAN 600,000 ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL DECENNIAL CENSUS AND CREATING A STATE BOARD OF COSMETOLOGY SO AS TO REGULATE FURTHER SUCH TEACHING AND PRACTICES AND THE REGISTRATION AND LICENSE FEES THEREFOR SO AS TO MAKE SUCH ACT APPLICABLE TO ALL COUNTIES OF THE STATE OF ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. The Title of Act No. 78, Senate 72, Special Session, 1961, (Acts 1961, P. 1955), as hereby amended to read as follows:

To regulate the teaching and practice of cosmetology.

Section 2. Section 19½ of Act No. 78, Senate 72, Special Session, 1961, (Acts 1961, P. 1955), as amended, is hereby amended to read as follows:

Any person in any county having a population in excess of 600,000 according to the 1960 Federal Decennial Census, not heretofore subject to the provisions of Act No. 78, Special Session, 1961, as amended, who, at the time of the passage of this Act or prior thereto had practiced within such county cosmetology or any of its practices as a cosmetologist, and as such was at the time of the passage of this Act acting as an instructor, managing cosmetologist, or owner of a beauty shop, or school of cosmetology, and any person from any such county who at the time of the passage of this Act and for at least six (6) months immediately prior thereto had been in the continuous and actual practice of cosmetology or any of the practices thereof, in established places of business or beauty shop or school of cosmetology within such counties as a cosmetologist, and not as an apprentice or student, shall be registered by the Alabama Board of Cosmetology, ("the Board"), and shall receive a license to practice and follow the profession of cosmetology to the same extent and in the same capacity as such person had practiced or is practicing cosmetology or any of the practices thereof as a cosmetologist, instructor, managing cosmetologist, or owner. Such certificate and license shall be issued by the Board without an examination, and such person shall also be exempt from the qualifications heretofore set out as to education or age. Any person from any such county studying at the time of passage of this Act to become a student instructor or studying

the occupation of cosmetology or any practice thereof in a school of cosmetology shall receive credit for the time and hours spent in such; provided that the person or persons to be exempted under this section as provided herein above and provided that the student to be credited as herein above provided shall within ninety (90) days after the passage of an approval of this Act file with the Board an application upon a form prescribed and furnished by the Board for a license to practice or to follow the practice or practices in the same capacity as shall have been followed by him prior thereto or for a certificate or credits as a student. Such application shall be accompanied by an affidavit sworn to before a notary public or an officer authorized to administer oaths, and shall be signed by the applicant, stating the practices followed by him prior thereto or the study pursued, and further providing that such application be accompanied by the required renewal fee as provided in Section 16 of Act No. 78, Special Session, 1961, as amended. Any license or certificate so issued shall thereafter be renewable as provided in this Act and upon the payment of the renewal fees as provided for in this Act.

Section 3. Section 32 of Act No. 78, Senate 72, Special Session, 1961, (Acts 1961, P. 1955), as amended, and all other laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law and further upon ratification by a vote of the majority of the cosmetologists of Jefferson County who are the holders of a current valid license issued by the Jefferson County Board of Cosmetological Examiners voting in such referendum; such referendum to be called by the Jefferson County Commission and held and supervised by the Judge of Probate of such county no sooner than sixty (60) days nor later than one hundred and twenty (120) days after the last day of the 1969 legislative session.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Culver	Holladay	Pearson
Agee	Dill	Holman	Perloff
Bank	Dobbs	House	Pruitt
Bassett	Doss	Jackson (F)	Sessions
Beck	Downing	Jones	Snell
Berryman (W)	Ellis	Lemley	Springer
Blanton	Fine	Lyons	Starnes
Bowers	Foshee	Malone	Steagall
Brannan	Graham	Manley	Stubbs
Brassell	Grayson	Marr	Tuck
Brown	Hain	Mays	Turnham
Burgess	Hardin	McCorquodale	Watkins
Burgreen	Harris	McLain	Williams
Cameron	Haygood	Meade	Wood
Collier	Headley	Meeks	Wright
Collins (W)	Higginbotham	Nettles	Yelding
Cook (Coffee)	Hill	Neville	Young
Cook (Jefferson)	Hobbie	Owen (Baldwin)	

—71

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 973. To apply only in counties having populations of not less

than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McDonald, the House concurred in and adopted the Senate amendment to the bill, H. 973, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census, the tax assessor shall be allowed \$1,800 a year as expenses, which allowance shall be in addition to all other allowances heretofore provided by law. The allowance shall be paid in equal monthly installments from the general funds of the county, and the payment of said allowance shall be discontinued at the expiration of the present six-year term of said office.

Section 2. This Act is cumulative and shall take effect October 1, 1969.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Neville
Agee	Downing	Jackson (F)	Owen (Baldwin)
Bank	Ellis	Jackson (T)	Pearson
Bassett	Fine	Jones	Pruitt
Beck	Foshee	Kilgore	Robertson
Berryman (W)	Garrett	Lemley	Slate
Blanton	Graham	Lyons	Snell
Bowers	Grainger	Malone	Starnes
Brannan	Grayson	Manley	Steagall
Brassell	Hain	Marr	Stubbs
Burgreen	Hardin	Mays	Tuck
Cameron	Harris	McCorquodale	Turnham
Collier	Haygood	McDonald	Watkins
Collins (W)	Higginbotham	McLain	Williams
Cook (Jefferson)	Hill	Meeks	Wood
Culver	Hobbie	Money	Wright
Dill	Holman	Nettles	Young
Dobbs			

—69

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 972. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Starnes, the House concurred in and adopted the Senate amendment to the bill, H. 972, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census, the tax collector shall be allowed \$1,800 a year as expenses, which allowance shall be in addition to all other allowances heretofore provided by law. The allowance shall be paid in equal monthly installments from the general funds of the county, and the payment of said allowance shall be discontinued at the expiration of the present six-year term of said office.

Section 2. This Act is cumulative and shall take effect October 1, 1969.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Neville
Agee	Edington	Jackson (T)	Owen (Baldwin)
Bassett	Ellis	Kilgore	Owens (W)
Beck	Fine	Lemley	Pennington
Berryman (W)	Foshee	Lyons	Sessions
Bowers	Graham	Malone	Shumate
Brannan	Grainger	Manley	Smith
Brassell	Grayson	Marr	Springer
Brown	Hain	Mays	Starnes
Burgreen	Hardin	McCorquodale	Steagall
Cameron	Haygood	McDonald	Stubbs
Collier	Headley	McLain	Tuck
Collins (C)	Higginbotham	Meade	Turnham
Collins (W)	Hill	Meeks	Williams
Cook (Coffee)	Hobbie	Melton	Wood
Culver	Holladay	Money	Wright
Dill	Holman	Nettles	Young
Dobbs			

—69

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1339. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dobbs, the House concurred in and adopted the Senate amendment to the bill, H. 1339, said Senate amendment being as follows:

In the title insert immediately after the last semicolon therein the following:

and to provide further for the compensation of the secretary of the district attorney of the district containing any such counties; and

Also in Section 1 strike out the period at the end of the section and insert in lieu thereof the following:

, and the secretary of the district attorney of the circuit containing any such county or counties shall, in addition to any salary and other compensation prescribed by law, also be entitled to an additional salary of six hundred dollars (\$600) per annum to be paid in equal monthly installments out of the general fund of the county.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pruitt
Agee	Downing	Kilgore	Robertson
Bassett	Edington	Lyons	Sessions
Beck	Ellis	Manley	Shumate
Berryman (W)	Foshee	Marr	Slate
Blanton	Garrett	Mays	Snell
Brannan	Graham	McCorquodale	Springer
Brassell	Grainger	McElhaney	Starnes
Burgess	Grayson	McLain	Steagall
Burgreen	Hain	Meade	Stubbs
Cameron	Hardin	Meeks	Tuck
Cherner	Haygood	Money	Turnham
Collier	Headley	Nettles	Watkins
Collins (C)	Higginbotham	Neville	Williams
Collins (W)	Hobbie	Owen (Baldwin)	Wood
Cook (Coffee)	Holladay	Owens (W)	Yeilding
Culver	Holman	Pearson	Young
Dill	Jackson (F)	Pennington	

—71

And the bill, H. 1339, as thus amended:

Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; and to provide further for the compensation of the secretary of the district attorney of the district containing any such counties; and to repeal conflicting laws.

Was again read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pruitt
Agee	Downing	Kilgore	Robertson
Bassett	Edington	Lyons	Sessions
Beck	Ellis	Manley	Shumate
Berryman (W)	Foshee	Marr	Slate
Blanton	Garrett	Mays	Snell
Brannan	Graham	McCorquodale	Springer
Brassell	Grainger	McElhaney	Starnes
Burgess	Grayson	McLain	Steagall
Burgreen	Hain	Meade	Stubbs
Cameron	Hardin	Meeks	Tuck
Cherner	Haygood	Money	Turnham
Collier	Headley	Nettles	Watkins
Collins (C)	Higginbotham	Neville	Williams
Collins (W)	Hobbie	Owen (Baldwin)	Wood
Cook (Coffee)	Holladay	Owens (W)	Yeilding
Culver	Holman	Pearson	Young
Dill	Jackson (F)	Pennington	

—71

MOTION TO BRING UP H. 1327

The motion of Mr. Brown to suspend the rules and bring up out of order the bill, H. 1327, was lost.

Yeas 47; Nays 35.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Meade
Agee	Culver	Grayson	Melton
Bassett	Dill	Hain	Owens (W)
Beck	Dobbs	Harris	Pearson
Berryman (W)	Doss	Headley	Shumate
Bowers	Downing	Hobbie	Springer
Brannan	Drake	Jones	Starnes
Brown	Edington	Lyons	Steagall
Burgess	Fine	Manley	Stubbs
Burgreen	Foshee	McCorquodale	Wood
Cameron	Garrett	McDonald	Young
Collins (W)	Graham	McElhaney	

—47

Nays:

Messrs.:	Hardin	Lemley	Robertson
Brassell	Higginbotham	Malone	Sessions
Collier	Hill	Mays	Smith
Collins (C)	Holladay	Meeks	Snell
Cook (Jefferson)	Holman	Merrill	Stembridge
Crawford	House	Nettles	Tuck
Ellis	Jackson (T)	Paulk	Turnham
Gafford	Kilgore	Pennington	Watkins
Gloor	Laxson	Perloff	Wright

—35

MOTION TO ADJOURN LOST

The motion of Mr. Shumate that the House adjourn until two o'clock P. M., Wednesday, August 20, 1969, was lost.

Yeas 19; Nays 64.

Yeas:

Mr. Speaker	Harris	Lyons	Slate
Burgreen	Jackson (T)	Meade	Tuck
Collins (W)	Kilgore	Melton	Watkins
Dill	Laxson	Neville	Wood
Fine	Lemley	Shumate	

—19

Nays:

Messrs.:	Culver	Holman	Pearson
Adwell	Dobbs	House	Pennington
Agee	Downing	Jackson (F)	Perloff
Bank	Drake	Jones	Pruitt
Bassett	Edington	Malone	Robertson
Berryman (W)	Foshee	Manley	Sessions
Blanton	Gafford	Marr	Smith
Brannan	Garrett	Mays	Snell
Brassell	Graham	McCorquodale	Springer
Burgess	Grainger	McDonald	Starnes
Cameron	Grayson	McElhanev	Steagall
Cherner	Hain	McLain	Stembridge
Collier	Hardin	Merrill	Stubbs
Collins (C)	Higginbotham	Nettles	Turnham
Cook (Coffee)	Hill	Owen (Baldwin)	Williams
Cook (Jefferson)	Hobbie	Owens (W)	Wright
Crawford			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill, and returns same herewith to the House:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House non-concurred in the Senate amendment to the bill, H. 675, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and visitors to the county; to define the powers of such corporation; and to provide for

the repeal of laws, whether general, special or or local, in conflict with the provisions of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census and to no other county.

Section 2. The following words and terms, as used in this act, shall have the meanings hereby ascribed to them: "the county" means any county to which this act applies; "the Bureau" means the public corporation for which this act provides; "the Board" means the Board of Directors of the Authority; "the largest city" means that city of the county having the largest population according to the last or any subsequent Federal census; "the Chamber of Commerce" means that organization the headquarters of which is in the largest city to the membership in which any reputable person engaged in mercantile, manufacturing, banking, jobbing or similar business is eligible, and which most nearly of all organizations in such city, regardless of name, performs the functions of such organizations as are commonly known as Chambers of Commerce; "person" includes a natural person, corporation, partnership, association or other entity; "City Motel-Hotel Association" means that association in the largest city the membership of which is composed of persons engaged in the hotel, motel, tourist court or similar business in such city or in the county and which has the largest membership of any such organization in said city.

Section 3. There is hereby established in the county a public corporation for the purposes herein specified, which corporation shall be vested with the powers conferred upon it by this act. The said public corporation is at times hereinafter referred to as "the Bureau".

Subject to the conditions and qualifications hereinafter stated, the name of the said corporation shall be "Greater _____ Convention and Visitors Bureau". In the blank space will be inserted the name of the largest city.

The Board of Directors of the Bureau may choose some name other than that above specified at any time it elects to do so; provided, however, that if the Board of Directors chooses any other name there shall be filed for record in the office of the Probate Judge of the county a copy of the resolution of the Board of Directors stating the name adopted by the Bureau, which resolution shall be followed by a certificate signed by the Chairman of the Board of Directors stating the date on which the resolution was adopted and stating that the copy of the resolution preceding said certificate is a true and correct copy of the resolution adopted by the Board of Directors.

Section 4. The Bureau shall be authorized and empowered to conduct programs, including but not limited to programs of information and publicity designed to attract conventions and tourists to the area. The Bureau shall be authorized to conduct such programs in Alabama and elsewhere, and to expend its funds in the furtherance of such programs in Alabama and elsewhere.

The Bureau may enter into contracts with any person, firm, corporation or association to carry out the purposes set forth in this act. No contract entered into by the Authority shall bind the State or any county or municipality of the State.

The Bureau shall have the power (a) to sue and be sued; (b) to

acquire property and rights and interests, in property by gift, lease or purchase; (c) to have a seal and alter the same at pleasure; (d) to appoint officers, agents, employees and attorneys, and to fix their compensation; (e) to make by-laws for the management and regulation of its affairs; (f) to make contracts, and to execute all instruments necessary or convenient to lease or purchase and own real or personal property to be used for the furtherance of the purposes for the accomplishment of which said Authority is created; (g) to accept or receive gifts, bequests and devises; (h) to borrow money and execute notes and other evidence of indebtedness which may be required by the lender, and pledge anticipated revenue or income to secure payment of any such loan, provided, however, that no such pledge shall extend for more than one year from the date on which the loan is made; and (i) to do all things necessary or convenient to carry out the powers expressly given herein.

For the aforesaid purposes and for no other purposes the Bureau shall be authorized to use and apply the proceeds of any taxes which the Legislature provides shall be payable to the Bureau.

Section 5. The affairs and business of the Bureau shall be managed and conducted by the Board of Directors provided for herein.

The President of the City Motel-Hotel Association shall occupy Directorship No. 1. That person representing the classification of Motel-Hotel business on the Chamber of Commerce Board of Directors shall occupy Directorship No. 2. The President of the Chamber of Commerce shall occupy Directorship No. 3. The Chairman of the Board of Directors of the Civic Center Authority, established by Act No. 547 of the Regular Session of the Legislature of 1965 (Ala. Acts, 1965, p. 797) shall occupy Directorship No. 4. Those occupying Directorships numbered 1 through 4 shall elect a person to hold Directorship No. 5.

The first term for Directorship No. 5 shall commence on the date of the appointment of the person first appointed to said Directorship and shall end on the last day of the fourth October subsequent to the date of such appointment. Thereafter, the term for Directorship No. 5 shall be for a period of four (4) years, with the second term commencing on the first day of November, immediately following expiration of the first term and ending on the last day of October four (4) years later.

No person except a qualified elector of the County shall occupy any Directorship.

The provisions set forth below shall govern the filling of any numbered directorship not filled by the person above described within sixty (60) days from the adoption of this act; and the said provisions shall also apply to the filling of any vacancy later occurring with respect to any of the five numbered positions, not so filled within sixty (60) days after such vacancy occurs. As hereinafter used in this Section 5, the term "vacancy" means a vacancy in respect to any of the five numbered directorships existing immediately upon the adoption of this act. If a vacancy in any of the numbered positions continues for more than sixty (60) days, such vacancy shall be filled by the then remaining members of the Board of Directors of the Bureau.

The members of the Board shall serve without compensation, except that they shall be reimbursed in full for actual expenses incurred in and about the performance of their duties for the Bureau.

Section 6. The power of the Bureau shall be vested in and exercised by the Board subject to the provisions of this Act.

The Board shall be authorized to employ agents, employees, officers, consultants, attorneys and to secure such services and assistance as the Board deems necessary to enable it to conduct, and engage in the activities and purposes for which this Bureau is created.

The Board may delegate to one or more of its members, employees, agents or officers, such duties as it deems proper.

The Board shall elect a Chairman and a Vice Chairman of said Board who shall serve as Chairman in the event of the Chairman's absence. The Board shall also elect a Treasurer, Assistant Treasurer, Secretary and Assistant Secretary. One person may serve as Treasurer and Secretary, or as Assistant Treasurer and Assistant Secretary. The Treasurer, Assistant Treasurer, Secretary or Assistant Secretary may but need not be a member of the Board.

The Board shall provide by resolution for the dates on which the Chairman, Vice Chairman, Treasurer and Secretary shall be elected, which resolution shall specify the term or period for which each of the officers last named shall serve.

The Treasurer shall act as custodian of all of the funds for whatever sources derived received by such officer.

The Treasurer of the Bureau shall execute a fidelity bond with a company authorized to write such bonds in the State of Alabama being surety thereon, which bond shall be in an amount approved by the Board.

Contracts of the Bureau shall be executed in the name of the Bureau by the Chairman of the Board and attested by the Secretary of the Bureau; provided, however, that the Board may by resolution provide for a different form for the execution of contracts and for the execution thereof by an officer or agent other than the Chairman and Secretary. In no event shall a contract, irrespective of its form and of the persons executing the same, be binding unless such contract was authorized or ratified by the Board.

Section 7. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this Act, are hereby repealed to the extent of such conflict.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

Amend Senate Substitute to H. B. 675 by adding to the end of the fifth paragraph of Section 5. thereof the following: "If any directorship is not filled in the manner herein provided for within ninety (90) days from the adoption of this Act, or if a vacancy occurs and is not filled in the manner provided for above within ninety (90) days, then in either event the majority of the Senate representing the County shall fill such directorship and shall certify the name of the individual elected to the other directors.

On motion of Mr. Cook (Jefferson), a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment to the bill, H. 675.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Downing	Jones	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Beck	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Higginbotham	Merrill	Watkins
Collins (W)	Hill	Money	Williams
Cook (Coffee)	Hobbie	Nettles	Wood
Cook (Jefferson)	Holladay	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yelding
Culver	Jackson (F)	Owens (W)	Young
Dill			

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The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Cook (Jefferson), Bowers and Waggoner.

MOTION TO BRING UP H. 1087

On motion of Mr. Perloff, the rules were suspended and permission granted to bring up out of order the bill, H. 1087.

Yeas 63; Nays 15.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Perloff
Bank	Edington	Jones	Robertson
Bassett	Ellis	Kilgore	Sessions
Beck	Fine	Laxson	Shumate
Bolton	Foshee	Lemley	Smith
Brannan	Graham	Lyons	Snell
Brassell	Grainger	Manley	Starnes
Burgess	Grayson	Marr	Steagall
Burgreen	Hardin	McCorquodale	Stubbs
Cameron	Harris	McDonald	Watkins
Cherner	Haygood	Meade	Williams
Collier	Higginbotham	Meeks	Wood
Collins (W)	Hill	Melton	Wright
Cook (Coffee)	Hobbie	Money	Young
Culver	Holman	Owens (W)	

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Nays:

Messrs.:	Crawford	Malone	Slate
Berryman (W)	Doss	Mays	Springer
Brown	Garrett	Merrill	Stembridge
Cook (Jefferson)	Hain	Owen (Baldwin)	Turnham

—15

And the bill:

H. 1087. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Was taken up.

Mr. Perloff offered the following substitute to the bill, H. 1087:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 342, relating to void contracts, is amended to read as follows:

"Section 342. All contracts made in this state by any foreign corporation which has not first complied with the provisions of the three preceding sections shall, at the option of the other party to the contract, be held void at the suit of such foreign corporation or any person claiming through or under such foreign corporation by virtue of such contract, unless said contract, heretofore or hereafter executed, has to do with a mortgage upon real property or an interest in real property in this state, where the mortgage is insured by the Federal Housing Administration or guaranteed by the Veterans Administration, and unless said foreign corporation shall have thereafter qualified to do business in this state. Before so qualifying such foreign corporation shall be required to pay all qualification fees or admission taxes required by the three preceding sections for all years or parts of years which it transacted business in this state, together with such interest and penalties thereon as may be assessed in accordance with law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hain	Lyons
Agee	Culver	Hardin	Malone
Bassett	Dill	Harris	Manley
Beck	Dobbs	Haygood	Marr
Berryman (W)	Downing	Higginbotham	Mays
Blanton	Drake	Hobbie	McCorquodale
Bolton	Edington	Holladay	McLain
Brannan	Ellis	Holman	Meade
Brassell	Fine	House	Meeks
Burgess	Foshee	Jackson (F)	Melton
Burgreen	Gafford	Jackson (T)	Merrill
Cameron	Garrett	Kilgore	Money
Cherner	Graham	Laxson	Nettles
Collier	Grainger	Lemley	Neville
Cook (Coffee)	Grayson	Lybrand	Owen (Baldwin)

Owens (W)	Shumate	Steagall	Watkins
Pearson	Slate	Stembridge	Williams
Pennington	Smith	Stubbs	Wood
Perloff	Snell	Tuck	Wright
Robertson	Springer	Turnham	Yeilding
Sessions	Starnes	Waggoner	Young

—84

And the bill, H. 1087, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Adwell	Edington	Lemley	Perloff
Agee	Ellis	Lybrand	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Foshee	Malone	Shumate
Berryman (W)	Garrett	Manley	Smith
Blanton	Graham	Marr	Snell
Brannan	Grainger	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Burgess	Hain	McLain	Stembridge
Burgreen	Hardin	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Higginbotham	Merrill	Waggoner
Collins (C)	Hobbie	Money	Watkins
Cook (Coffee)	Holladay	Nettles	Williams
Crawford	Holman	Neville	Wood
Culver	Jackson (F)	Owen (Baldwin)	Wright
Dill	Jackson (T)	Owens (W)	Yeilding
Dobbs	Kilgore	Pearson	Young
Downing			

—81

MOTION TO BRING UP H. 240.

On motion of Mr. Drake, the rules were suspended and permission granted to bring up out of order the bill, H. 240.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Malone
Adwell	Cook (Coffee)	Hain	Manley
Agee	Crawford	Hardin	Marr
Bassett	Culver	Harris	Mays
Beck	Dill	Haygood	McCorquodale
Berryman (W)	Dobbs	Higginbotham	McDonald
Blanton	Doss	Hobbie	McLain
Bolton	Downing	Holladay	Meade
Brannan	Drake	House	Melton
Brassell	Edington	Jackson (F)	Merrill
Brown	Ellis	Jackson (T)	Money
Burgreen	Fine	Kilgore	Nettles
Cameron	Foshee	Laxson	Neville
Cherner	Garrett	Lemley	Owens (W)
Collier	Graham	Lybrand	Pearson
Collins (C)	Grainger	Lyons	Pennington

Perloff	Slate	Steagall	Watkins
Pruitt	Smith	Stembridge	Williams
Robertson	Snell	Stubbs	Wood
Sessions	Springer	Tuck	Wright
Shumate	Starnes	Waggoner	Young

—84

And the bill:

H. 240. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of live-stock and poultry from the State sales and use tax.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 2.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Doss	Lemley	Perloff
Bassett	Downing	Lybrand	Pruitt
Beck	Drake	Malone	Robertson
Berryman (W)	Edington	Manley	Sessions
Blanton	Fine	Marr	Shumate
Bolton	Garrett	Mays	Slate
Brannan	Graham	McCorquodale	Smith
Brassell	Grainger	McDonald	Snell
Brown	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Tuck
Collins (W)	Higginbotham	Money	Turnham
Cook (Coffee)	Hobbie	Neville	Watkins
Crawford	House	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wood
Dill	Kilgore	Pearson	Young

—76

Nays: Messrs. Jackson (T) and Meeks.

—2

MOTION TO BRING UP H. 644 LOST

The motion of Mr. Hill to suspend the rules and bring up out of order the bill, H. 644, was lost.

Yeas 47; Nays 27.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Neville
Beck	Downing	Kilgore	Pearson
Brannan	Drake	Lemley	Perloff
Brassell	Fine	Lybrand	Robertson
Brown	Foshee	Lyons	Snell
Burgreen	Gloor	Marr	Steagall
Cameron	Graham	Mays	Stubbs
Collier	Grayson	McDonald	Williams
Collins (W)	Harris	McElhaney	Wood
Cook (Coffee)	Haygood	McLain	Yeilding
Culver	Hill	Meade	Young
Dill	Hobbie	Nettles	

—47

Nays:

Messrs.:	Garrett	Laxson	Pennington
Adwell	Grainger	Manley	Pruitt
Agee	Hain	McCorquodale	Shumate
Bassett	Hardin	Meeks	Springer
Bowers	Higginbotham	Merrill	Tuck
Crawford	Holman	Owen (Baldwin)	Turnham
Ellis	Jackson (T)	Owens (W)	Waggoner

—27

MOTION TO BRING UP S. 480 LOST

The motion of Mr. Steagall to suspend the rules and bring up out of order the bill, S. 480, was lost.

Yeas 55; Nays 21.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff
Agee	Downing	Lemley	Robertson
Bank	Drake	Lyons	Shumate
Beck	Fine	Marr	Slate
Brannan	Foshee	Mays	Smith
Brassell	Graham	McDonald	Snell
Brown	Grainger	McElhaney	Springer
Cameron	Hain	McLain	Steagall
Collier	Harris	Meade	Stubbs
Collins (C)	Haygood	Meeks	Turnham
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Hobbie	Nettles	Wood
Culver	Jackson (F)	Neville	Young
Dill	Jackson (T)	Pearson	

—55

Nays:

Messrs.:	Crawford	House	Owens (W)
Adwell	Ellis	Kilgore	Pruitt
Bassett	Gafford	Manley	Stembridge
Berryman (W)	Garrett	McCorquodale	Tuck
Bowers	Higginbotham	Merrill	Waggoner
Cook (Jefferson)	Holman		

—21

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent

(1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House non-concurred in the Senate amendment to the bill, H. 942, and a Committee of Conference was requested on the disagreement of the two Houses on the Senate amendment, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for consideration; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collection and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one per cent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and visitors authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and visitors bureau in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, and license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or ordinances shall not impair the power of the governing

body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Jefferson County.

Section 2. As used herein, the words and terms defined in this Section 2 shall have the meanings hereby ascribed to them. "County" means Jefferson County. The term "effective date of the Act" means the first day of the calendar month next following the calendar month in which this Act is adopted.

Section 3. (a) The taxes levied by this act shall become effective, or go into effect, on the first day of the calendar month next following the calendar month in which this act is adopted.

(b) Commencing on the effective date of the taxes, as specified in subsection (a), above, in addition to all other taxes imposed by law, there is hereby levied and shall be collected by the Director of Revenue as herein provided a privilege or license tax in the amount hereinafter prescribed against every person engaging in the County in the business of renting or furnishing any room or rooms, lodging or accommodations, to any transients in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are regularly furnished to transients for a consideration. The Director of Revenue shall deduct any pay to the treasury of the county one percent (1%) of the total amount of the said taxes, to compensate the county for the expenses incurred by it in collecting said taxes and in administering this act. Following that deduction, the Director of Revenue shall pay the remainder of the taxes to the convention and tourism authority of the county created under the Act adopted during the Regular 1969 Session of the Legislature providing for a convention and tourism authority in counties having a population of five hundred thousand or more. The amount of the tax shall be equal to one percent (1%) of the charge for such rooms, lodgings or accommodations, including the charge for use or rental of personal property and services furnished in such room or rooms.

There are exempted from the provisions of the tax levied by this Section 3 and from the computation of the amount of the tax levied or payable hereunder the following: Charges for property sold or services furnished which are required to be included in the tax levied by Act No. 100 of the Second Special Session of 1959 of the Legislature of Alabama (Ala. Acts 1959, page 298 et seq.), as amended, said Act being commonly referred to as the State Sales Tax Act; boarding houses, tourist homes and similar establishments regularly offering less than five (5) rooms for rental to transients; charges for the rental of rooms, lodgings or accommodations furnished by any hospital, nursing home, convalescent home or by any charitable or eleemosynary institution; charges for the rental of rooms, lodgings or accommodations to a person for a period of thirty (30) continuous days or more. The exemption hereby provided shall apply to any property sold or services furnished which are required to be included in any sales tax now or hereafter levied by the State of Alabama.

(c) The taxes levied by this Section 3, except as otherwise provided herein, shall be due and payable on or before the 20th day of the month next succeeding the month in which the tax accrues. On or be-

fore the 20th day of each month after the effective date of the taxes every person on whom the tax is levied by this Section 3 shall render to the Director of Revenue on a form prescribed by him, a true and correct statement showing the gross proceeds of the business subject to the said tax for the then preceding month, together with such other information as the Director of Revenue may demand and require; and at the time of making such monthly report the taxpayer shall compute and pay to the Director of Revenue the amount of taxes shown to be due; provided, however, that any person subject to the tax who conducts any business on a credit basis may defer reporting and paying the tax until after said person has received payment for the items, articles or accommodations furnished; and in the event he so defers reporting and paying any such taxes he shall thereafter include in each monthly report all credit collections made during the then preceding month and shall pay the amount of taxes computed thereon at the time of filing such report.

(d) It shall be the duty of every person engaged or continuing in any business subject to the taxes levied by this Section 3 to keep and preserve suitable records of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he is liable under the provisions of this act. Such records shall be kept and preserved for a period of five (5) years and shall be open for examination at any time by the Director of Revenue or by any duly authorized agent, deputy or employee of the said Director.

(e) Any person who fails to pay the tax levied by this Section 3 within the time required by this act shall pay in addition to the tax a penalty of ten percent (10%) of the amount of tax due, together with interest thereon at the rate of one-half of one percent ($\frac{1}{2}$ of 1%) per month or fraction thereof from the date on which the tax became due and payable, such penalty and interest to be assessed and collected as a part of the tax; provided, however, that the Director of Revenue may, if good and sufficient reason be shown, waive or remit the penalty or any portion thereof.

Section 4. The failure of any person to pay any tax levied by this act within the time specified for the payment of the same by the act shall constitute a misdemeanor; and the violation of any of the provisions of this act by any person shall constitute a misdemeanor. Any person violating any provisions of this act shall upon conviction be punished by fine of not more than five hundred dollars (\$500) and may also be sentenced to hard labor for the County for not exceeding six (6) months, either or both, unless a different punishment is prescribed herein.

Section 5. None of the provisions of this act shall be applied in such manner as to violate the commerce clause or other clauses of the Federal Constitution or any clause of the Constitution of Alabama. Should any provision of this act be held invalid, the invalidity thereof shall not affect the remaining provisions of the act.

Section 6. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this act are hereby repealed to the extent of such conflict; provided, however, it is not intended by the provisions of this section to repeal or affect in any way the privilege or license tax levied by any of the following Acts: Act No. 248 of the Regular Session of the Legislature of Alabama of 1955 (Ala. Acts 1955, p. 586), as amended by Act No. 269 of the Regular Session of the Legislature of Alabama of 1963, (Ala. Acts 1963, p. 715), and Act No. 525 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 775).

Section 7. There are hereby repealed all existing ordinances of

all municipalities within the county imposing, or levying any license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the charges made for rooms, lodgings or accommodations. Such repeal of municipal ordinances shall not impair the power of the governing body of any municipality to reenact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the total charges made for rooms, lodgings or accommodations.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law; but the taxes levied by this act shall not go into effect, or become effective, until the date specified in subsection (a) of Section 3 of this act.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Beck	Ellis	Lyons	Robertson
Berryman (W)	Fine	Malone	Sessions
Bowers	Foshee	Manley	Slate
Brannan	Gafford	Marr	Snell
Brassell	Garrett	Mays	Springer
Brown	Graham	McCorquodale	Starnes
Burgreen	Grainger	McDonald	Steagall
Cameron	Grayson	McElhaney	Stembridge
Cherner	Hain	McLain	Stubbs
Collier	Hardin	Meade	Tuck
Collins (C)	Harris	Meeks	Turnham
Collins (W)	Haygood	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crawford	Holman	Neville	Young
Culver	Jackson (F)	Owens (W)	

—79

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Cook (Jefferson), Bowers and Waggoner.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite, the House concurred in and adopted the Senate amendments to the bill, H. 91, said Senate amendments being as follows:

FINANCE AND TAXATION COMMITTEE

AMENDMENT #1 TO H. B. 91

Amend Section 1 of H. B. 91 by striking in its entirety the third sentence therein which begins with the words "There shall be exempt" and inserting in lieu thereof the following:

"There shall be exempt from the operation of the privilege or license tax and registration fee now or hereafter to be levied on automobiles and motor vehicles by the State of Alabama, passenger vehicles owned and operated by the Federal Government, or any passenger vehicle owned and operated by officers and enlisted men actually serving in the United States Army who are assigned by the Department of Defense as instructors or sergeant-instructors with the National Guard of Alabama or by all officers, warrant officers, and enlisted men who are serving on active duty in the armed forces of the United States who are residents of Alabama at the time the exemption is claimed and who entered active service from Alabama and were residents of Alabama at the time of entering service or by all commissioned officers, noncommissioned officers, and enlisted men of the active National Guard of Alabama."

FINANCE AND TAXATION COMMITTEE AMENDMENT #1 TO
AMENDMENT TO H. B. 91

Amend Finance and Taxation Committee amendment to H. B. 91 by striking the period and quote at the end of the amendment and adding the following:

"and active members of the United States Armed Forces Reserve Organizations."

FINANCE AND TAXATION COMMITTEE

AMENDMENT TO H. B. 91

Amend H. B. 91 by adding the following after the end of the third sentence of Section 1:

"Provided that each individual who is entitled to the exemption from the operation of the motor vehicle or license tax and registration fee levied on automobiles and motor vehicles by the State of Alabama shall be entitled to such exemption for only one passenger vehicle; it being the intention of this legislature to limit such exemption to one per individual serviceman."

Yeas 59; Nays 8.

Yeas:

Mr. Speaker	Burgreen	Downing	Hardin
Agee	Cameron	Edington	Haygood
Bank	Collier	Fine	Headley
Bassett	Cook (Coffee)	Foshee	Higginbotham
Beck	Crawford	Garrett	Hobbie
Berryman (W)	Dill	Graham	Holladay
Brannan	Dobbs	Grainger	Holman
Brassell	Doss	Grayson	Jackson (F)

Kilgore	McLain	Pearson	Steagall	
Laxson	Meade	Pennington	Stembridge	
Lemley	Merrill	Robertson	Tuck	
Malone	Money	Slate	Turnham	
Mays	Neville	Smith	Williams	
McCorquodale	Owen (Baldwin)	Snell	Young	
McElhaney	Owens (W)	Springer		—59

Nays:

Messrs.:	Collins (C)	Jackson (T)	Nettles	
Adwell	Gafford	Lyons	Wood	
Cherner				—8

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Goodwyn:

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

Also:

By Mr. McDermott:

S. 778. To repeal Act No. 175, S. 387 of the Regular Session of 1969, which provides for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 287. Judiciary.

S. 778. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Giles and Goodwyn:

S. 560. To amend further Section 388 of Title 51, Code of Alabama, 1940, which relates to exemptions from the state income tax on individuals; and to provide that this Act shall be given retroactive effect to December 31, 1968.

Also:

By Mr. O'Bannon:

S. 807. To require hospitals to permit certain persons to inspect the

records of any person who authorizes the same; to require proof of authorization; to define terms; and to prescribe penalties for violations.

Also:

By Mr. Giles:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meeting and setting out the powers and duties of the Board.

Also:

By Messrs. Oden and Goodwyn:

S. 687. To provide further for the management of public records of all of the counties of the state; to provide for the appointment and compensation of a county records administrator; to prescribe his authority, powers and duties, and to appropriate funds for such purposes.

Also:

By Messrs. Oden and Goodwyn:

S. 688. To amend Act No. 565, Regular Session 1955, (Acts 1955, p. 1227) which act relates to the management of the public records of the state, by reducing the number of members of the county records commission and providing expense allowances for the members of said commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 560. Ways and Means.

S. 807. Judiciary.

S. 174. Health.

S. 687. State Administration.

S. 688. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all

cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

said Governor's Message being in words and figures as follows, to-wit:

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, Senate Bill No. 537 without my approval.

I respectfully suggest that Section 3(a) of Senate Bill No. 537 be amended by adding at the end of the first sentence thereof the following:

"In exercising jurisdiction in juvenile court cases the provisions of Chapter 7, Title 13, Code of Alabama 1940, and amendments shall apply."

I have discussed this amendment with the sponsor of this legislation and it is at his request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 12, 1969

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 537, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S. B. 537, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crawford, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 537, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Garrett	Kilgore
Agee	Cook (Coffee)	Graham	Laxson
Bank	Crawford	Grainger	Lemley
Bassett	Culver	Grayson	Lyons
Beck	Dill	Hain	Malone
Berryman (W)	Dobbs	Hardin	Manley
Bowers	Downing	Haygood	Marr
Brannan	Edington	Hill	Mays
Brassell	Ellis	Holladay	McCorquodale
Burgreen	Fine	Holman	McDonald
Collier	Foshee	Jackson (F)	Meade
Collins (C)	Gafford	Jackson (T)	Meeks

Merrill	Pearson	Snell	Turnham
Money	Pennington	Starnes	Waggoner
Nettles	Perloff	Steagall	Williams
Neville	Pruitt	Stembridge	Wood
Owen (Baldwin)	Robertson	Stubbs	Yeilding
Owens (W)	Shumate	Tuck	

—71

Which was a majority of the whole number elected to the House.

And said bill:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Gafford	Manley	Shumate
Bowers	Garrett	Marr	Snell
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Burgreen	Grayson	McDonald	Stembridge
Collier	Hain	Meade	Stubbs
Collins (C)	Hardin	Meeks	Tuck
Collins (W)	Haygood	Merrill	Turnham
Cook (Coffee)	Hill	Money	Waggoner
Crawford	Holladay	Nettles	Williams
Culver	Holman	Neville	Wood
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jackson (T)	Owens (W)	

—71

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Morrow and Pierce:

S. 861. Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 861. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 57. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Also:

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

Also:

H. 796. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions and industry, and to authorize counties and municipalities to provide for collection and disposal of solid wastes and charge a fee therefor, and to contract for such services to be performed by others, and to permit the formation of districts or areas beyond corporate limits, or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act or rules and regulations pursuant thereto, in the interest of the public health, comfort and safety.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 778. To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

Also:

H. 841. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

Also:

H. 842. To provide for assistant legal counsels for the Chief Exami-

ner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP H. 1309 LOST

The motion of Mr. Jones to suspend the rules and bring up out of order the bill, H. 1309, was lost.

Yeas 46; Nays 29.

Yeas:

Messrs.:	Downing	Lyons	Perloff
Adwell	Edington	Malone	Robertson
Agee	Ellis	Marr	Slate
Beck	Foshee	McDonald	Snell
Berryman (W)	Gloor	McElhaney	Starnes
Brannan	Graham	McLain	Steagall
Brassell	Grainger	Meade	Stubbs
Burgreen	Grayson	Melton	Turnham
Cameron	Harris	Money	Waggoner
Collier	Higginbotham	Nettles	Wood
Culver	Hobbie	Neville	Wright
Dill	Jones	Pennington	—46

Nays:

Mr. Speaker	Hain	Manley	Pruitt
Bassett	Hardin	Mays	Sessions
Bowers	Holman	McCorquodale	Shumate
Collins (C)	Jackson (F)	Meeks	Smith
Crawford	Jackson (T)	Merrill	Stembridge
Dobbs	Kilgore	Owen (Baldwin)	Watkins
Fine	Lemley	Owens (W)	Young
Garrett			—29

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement between the two Houses on the Senate amendment to the Bill:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

And said Bill, H. B. 513, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decen-

nial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1320. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Haygood	McCorquodale
Agee	Dill	Headley	McDonald
Bank	Dobbs	Higginbotham	McElhaney
Bassett	Doss	Hill	McLain
Beck	Downing	Hobbie	Meade
Berryman (W)	Drake	Holladay	Meeks
Blanton	Edington	Holman	Melton
Brannan	Ellis	Jackson (F)	Merrill
Brassell	Fine	Jones	Nettles
Brown	Foshee	Kilgore	Neville
Burgess	Garrett	Laxson	Owen (Baldwin)
Burgreen	Graham	Lemley	Owens (W)
Cameron	Grainger	Lybrand	Paulk
Collier	Grayson	Lyons	Pearson
Collins (C)	Hain	Malone	Pennington
Collins (W)	Hardin	Manley	Perloff
Cook (Coffee)	Harris	Marr	Pruitt

Robertson	Springer	Tuck	Wood
Sessions	Starnes	Turnham	Wright
Slate	Steagall	Waggoner	Yeilding
Smith	Stembridge	Williams	Young
Snell	Stubbs		

—86

And the bill:

H. 1425. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; and authorizing the county governing body of such counties to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and providing that the substance of the resolution or ordinance levying such tax shall be as prescribed in this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 700. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Cameron
Agee	Berryman (W)	Brown	Collier
Bank	Blanton	Burgess	Collins (C)
Bassett	Brannan	Burgreen	Collins (W)

Cook (Coffee)	Haygood	McDonald	Sessions
Culver	Headley	McElhaney	Slate
Dill	Higginbotham	McLain	Smith
Dobbs	Hill	Meade	Snell
Doss	Hobbie	Meeks	Springer
Downing	Holladay	Melton	Starnes
Drake	Holman	Merrill	Steagall
Edington	Jackson (F)	Nettles	Stembridge
Ellis	Jones	Neville	Stubbs
Fine	Kilgore	Owen (Baldwin)	Tuck
Foshee	Laxson	Owens (W)	Turnham
Garrett	Lemley	Paulk	Waggoner
Graham	Lybrand	Pearson	Williams
Grainger	Lyons	Pennington	Wood
Grayson	Malone	Perloff	Wright
Hain	Manley	Pruitt	Yeilding
Hardin	Marr	Robertson	Young
Harris	McCorquodale		

—86

MOTION TO RECONSIDER H. 1425

Having voted with the prevailing side by which the bill, H. 1425, was passed, Mr. Beck moved to reconsider, and the motion was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

MOTION TO INDEFINITELY POSTPONE H. 1425

On motion of Mr. Beck, the bill, H. 1425, was indefinitely postponed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Cameron
Agee	Berryman (W)	Brown	Collier
Bank	Blanton	Burgess	Collins (C)
Bassett	Brannan	Burgreen	Collins (W)

Cook (Coffee)	Haygood	McDonald	Sessions
Culver	Headley	McElhaney	Slate
Dill	Higginbotham	McLain	Smith
Dobbs	Hill	Meade	Snell
Doss	Hobbie	Meeks	Springer
Downing	Holladay	Melton	Starnes
Drake	Holman	Merrill	Steagall
Edington	Jackson (F)	Nettles	Stembridge
Ellis	Jones	Neville	Stubbs
Fine	Kilgore	Owen (Baldwin)	Tuck
Foshee	Laxson	Owens (W)	Turnham
Garrett	Lemley	Paulk	Waggoner
Graham	Lybrand	Pearson	Williams
Grainger	Lyons	Pennington	Wood
Grayson	Malone	Perloff	Wright
Hain	Manley	Pruitt	Yeilding
Hardin	Marr	Robertson	Young
Harris	McCorquodale		

—86

MOTION TO RECONSIDER S. 700

Having voted with the prevailing side by which the bill, S. 700, was passed, Mr. Beck moved to reconsider the bill.

And the motion was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

S. 700 AND S. 721 CARRIED OVER

On motion of Mr. Drake, the bills, S. 700 and S. 721, were carried over to the thirty-third legislative day.

And the bill:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

MOTION TO BRING UP S. 480

On motion of Mr. Bolton, the rules were suspended and permission granted to bring up out of order the bill, S. 480.

Yeas 58; Nays 10.

Yeas:

Mr. Speaker	Culver	Hobbie	Neville
Agee	Dill	Holladay	Perloff
Bank	Dobbs	Jackson (F)	Robertson
Bassett	Downing	Jackson (T)	Sessions
Berryman (W)	Drake	Lemley	Slate
Blanton	Edington	Lybrand	Starnes
Bolton	Fine	McCorquodale	Steagall
Brannan	Foshee	McDonald	Stembridge
Brassell	Graham	McElhaney	Stubbs
Burgess	Grainger	McLain	Turnham
Burgreen	Grayson	Meade	Williams
Cameron	Hain	Melton	Wood
Collier	Hardin	Money	Wright
Collins (C)	Harris	Nettles	Young
Cook (Coffee)	Hill		

—58

Nays:

Messrs.:	Garrett	Merrill	Pruitt
Cook (Jefferson)	Jones	Owens (W)	Tuck
Crawford	Manley	Pearson	

—10

And the bill:

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

Was read a third time at length and passed.

Yeas 71; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pennington
Agee	Dobbs	Jones	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Drake	Lybrand	Robertson
Beck	Edington	Malone	Sessions
Berryman (W)	Ellis	Marr	Slate
Blanton	Fine	Mays	Smith
Bolton	Foshee	McCorquodale	Starnes
Brannan	Graham	McElhaney	Steagall
Brassell	Grainger	McLain	Stembridge
Burgess	Grayson	Melton	Stubbs
Burgreen	Hain	Merrill	Tuck
Cameron	Hardin	Money	Turnham
Collier	Harris	Nettles	Williams
Collins (C)	Hill	Neville	Wood
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wright
Crawford	Holladay	Owens (W)	Young
Culver	Jackson (F)	Pearson	

—71

Nay: Mr. Garrett.

—1

And the bill:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Was taken up.

On motion of Mr. Marr, the bill, S. 252, was carried over to the thirty-third legislative day.

And the bill:

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attor-

ney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Graham	Jones
Agee	Collins (W)	Grainger	Kilgore
Bank	Cook (Coffee)	Grayson	Laxson
Bassett	Culver	Hain	Lemley
Beck	Dill	Hardin	Lybrand
Berryman (W)	Dobbs	Harris	Lyons
Blanton	Doss	Haygood	Malone
Brannan	Downing	Headley	Manley
Brassell	Drake	Higginbotham	Marr
Brown	Edington	Hill	McCorquodale
Burgess	Ellis	Hobbie	McDonald
Burgreen	Fine	Holladay	McElhaney
Cameron	Foshee	Holman	McLain
Collier	Garrett	Jackson (F)	Meade

Meeks	Pearson	Snell	Turnham
Melton	Pennington	Springer	Waggoner
Merrill	Perloff	Starnes	Williams
Nettles	Pruitt	Steagall	Wood
Neville	Robertson	Stembridge	Wright
Owen (Baldwin)	Sessions	Stubbs	Yeilding
Owens (W)	Slate	Tuck	Young
Paulk	Smith		

—86

And the bill:

H. 1491. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1454. To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1476. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cameron	Dill
Agee	Brannan	Collier	Dobbs
Bank	Brassell	Collins (C)	Doss
Bassett	Brown	Collins (W)	Downing
Beck	Burgess	Cook (Coffee)	Drake
Berryman (W)	Burgreen	Culver	Edington

Ellis	Holman	Meeks	Smith
Fine	Jackson (F)	Melton	Snell
Foshee	Jones	Merrill	Springer
Garrett	Kilgore	Nettles	Starnes
Graham	Laxson	Neville	Steagall
Grainger	Lemley	Owen (Baldwin)	Stembridge
Grayson	Lybrand	Owens (W)	Stubbs
Hain	Lyons	Paulk	Tuck
Hardin	Malone	Pearson	Turnham
Harris	Manley	Pennington	Waggoner
Haygood	Marr	Perloff	Williams
Headley	McCorquodale	Pruitt	Wood
Higginbotham	McDonald	Robertson	Wright
Hill	McElhaney	Sessions	Yeilding
Hobbie	McLain	Slate	Young
Holladay	Meade		

—86

And the bill:

H. 1477. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1478. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter

4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1479. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Lemley
Agee	Cook (Coffee)	Hain	Lybrand
Bank	Culver	Hardin	Lyons
Bassett	Dill	Harris	Malone
Beck	Dobbs	Haygood	Manley
Berryman (W)	Doss	Headley	Marr
Blanton	Downing	Higginbotham	McCorquodale
Brannan	Drake	Hill	McDonald
Brassell	Edington	Hobbie	McElhaney
Brown	Ellis	Holladay	McLain
Burgess	Fine	Holman	Meade
Burgreen	Foshee	Jackson (F)	Meeks
Cameron	Garrett	Jones	Melton
Collier	Graham	Kilgore	Merrill
Collins (C)	Grainger	Laxson	Nettles

Neville	Pruitt	Starnes	Waggoner
Owen (Baldwin)	Robertson	Steagall	Williams
Owens (W)	Sessions	Stembridge	Wood
Paulk	Slate	Stubbs	Wright
Pearson	Smith	Tuck	Yeilding
Pennington	Snell	Turnham	Young
Perloff	Springer		

—86

And the bill:

H. 1480. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1481. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhanev	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson			

—86

And the bill:

H. 1482. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of proving volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1483. To amend Act No. 780, H. 1499, Regular Session 1961, an act providing for the incorporation in any county having a population of not less than 110,000 nor more than 165,000, of an authority as a public

corporation for the purpose of acquiring, constructing, enlarging, and improving airports, airport buildings and facilities, and exempting said authority from certain liabilities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1484. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Drake	Harris
Agee	Cameron	Edington	Haygood
Bank	Collier	Ellis	Headley
Bassett	Collins (C)	Fine	Higginbotham
Beck	Collins (W)	Foshee	Hill
Berryman (W)	Cook (Coffee)	Garrett	Hobbie
Blanton	Culver	Graham	Holladay
Brannan	Dill	Grainger	Holman
Brassell	Dobbs	Grayson	Jackson (F)
Brown	Doss	Hain	Jones
Burgess	Downing	Hardin	Kilgore

Laxson	Meade	Perloff	Stembridge
Lemley	Meeks	Pruitt	Stubbs
Lybrand	Melton	Robertson	Tuck
Lyons	Merrill	Sessions	Turnham
Malone	Nettles	Slate	Waggoner
Manley	Neville	Smith	Williams
Marr	Owen (Baldwin)	Snell	Wood
McCorquodale	Owens (W)	Springer	Wright
McDonald	Paulk	Starnes	Yeilding
McElhaney	Pearson	Steagall	Young
McLain	Pennington		

—86

And the bill:

H. 1485. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1486. To provide, in all judicial circuits composed of one county having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 764. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 808. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of said Act No. 708 that have not yet been distributed to the said municipalities.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 877. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 877:

Strike out Section 3 in its entirety and insert in lieu thereof the following:

Section 3. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Pelham, voting in a referendum election to be held on a day designated by the probate judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Shelby County, and the election

shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____, H. 877 of the 1969 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Pelham in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The Town of Pelham shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill, H. 877, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cameron	Dill
Agee	Brannan	Collier	Dobbs
Bank	Brassell	Collins (C)	Doss
Bassett	Brown	Collins (W)	Downing
Beck	Burgess	Cook (Coffee)	Drake
Berryman (W)	Burgreen	Culver	Edington

Ellis	Holman	Meeks	Smith
Fine	Jackson (F)	Melton	Snell
Foshee	Jones	Merrill	Springer
Garrett	Kilgore	Nettles	Starnes
Graham	Laxson	Neville	Steagall
Grainger	Lemley	Owen (Baldwin)	Stembridge
Grayson	Lybrand	Owens (W)	Stubbs
Hain	Lyons	Paulk	Tuck
Hardin	Malone	Pearson	Turnham
Harris	Manley	Pennington	Waggoner
Haygood	Marr	Perloff	Williams
Headley	McCorquodale	Pruitt	Wood
Higginbotham	McDonald	Robertson	Wright
Hill	McElhaney	Sessions	Yeilding
Hobbie	McLain	Slate	Young
Holladay	Meade		

—86

And the bill:

H. 1062 (with amendment). Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 1062 as follows:

In caption, delete the figures 150,000 and insert in lieu thereof the figure 115,000.

In Section 1, delete the figure 150,000 and insert in lieu thereof the figure 115,000.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Haygood	McCorquodale
Agee	Dill	Headley	McDonald
Bank	Dobbs	Higginbotham	McElhaney
Bassett	Doss	Hill	McLain
Beck	Downing	Hobbie	Meade
Berryman (W)	Drake	Holladay	Nettles
Blanton	Edington	Holman	Neville
Brannan	Ellis	Jackson (F)	Owen (Baldwin)
Brassell	Fine	Jones	Owens (W)
Brown	Foshee	Kilgore	Paulk
Burgess	Garrett	Laxson	Pearson
Burgreen	Graham	Lemley	Pennington
Cameron	Grainger	Lybrand	Perloff
Collier	Grayson	Lyons	Pruitt
Collins (C)	Hain	Malone	
Collins (W)	Hardin	Manley	
Cook (Coffee)	Harris	Marr	

Robertson	Springer	Tuck	Wood
Sessions	Starnes	Turnham	Wright
Slate	Steagall	Waggoner	Yeilding
Smith	Stembridge	Williams	Young
Snell	Stubbs		

—86

And the bill, H. 1062, as thus amended:

H. 1062. Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 115,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaneey	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1357. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing for the payment from the county treasury of an additional supplementary salary to each of the court reporters for the circuit courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson	Manley		

—86

And the bill:

H. 1430. To create an additional judgeship for the Ninth Judicial Circuit of Alabama, and to provide for the appointment, election, compensation, powers, duties and authority of such judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1432. To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum.

Was taken up.

Mr. Graham offered the following amendment to the bill, H. 1432:

Amend Section 3 of House Bill 1432 by inserting at the end of Section 3 the following provisions:

"All general, special or local laws or parts of such laws applicable to such counties which provide for the payment of any salary or supplement to the salary of the circuit judges or state district attorneys or circuit solicitors from the county general fund are hereby repealed."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill, H. 1432, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Haygood	McCorquodale
Agee	Dill	Headley	McDonald
Bank	Dobbs	Higginbotham	McElhaney
Bassett	Doss	Hill	McLain
Beck	Downing	Hobbie	Meade
Berryman (W)	Drake	Holladay	Meeks
Blanton	Edington	Holman	Melton
Brannan	Ellis	Jackson (F)	Merrill
Brassell	Fine	Jones	Nettles
Brown	Foshee	Kilgore	Neville
Burgess	Garrett	Laxson	Owen (Baldwin)
Burgreen	Graham	Lemley	Owens (W)
Cameron	Grainger	Lybrand	Paulk
Collier	Grayson	Lyons	Pearson
Collins (C)	Hain	Malone	Pennington
Collins (W)	Hardin	Manley	Perloff
Cook (Coffee)	Harris	Marr	Pruitt

Robertson	Springer	Tuck	Wood
Sessions	Starnes	Turnham	Wright
Slate	Steagall	Waggoner	Yeilding
Smith	Stembridge	Williams	Young
Snell	Stubbs		

—86

And the bill:

H. 1344. To amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1433. To provide for operation of non-profit ambulance services by the municipalities in all counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brown	Dill	Garrett
Agee	Burgess	Dobbs	Graham
Bank	Burgreen	Doss	Grainger
Bassett	Cameron	Downing	Grayson
Beck	Collier	Drake	Hain
Berryman (W)	Collins (C)	Edington	Hardin
Blanton	Collins (W)	Ellis	Harris
Brannan	Cook (Coffee)	Fine	Haygood
Brassell	Culver	Foshee	Headley

Higginbotham	Manley	Owens (W)	Starnes
Hill	Marr	Paulk	Steagall
Hobbie	McCorquodale	Pearson	Stembridge
Holladay	McDonald	Pennington	Stubbs
Holman	McElhaney	Perloff	Tuck
Jackson (F)	McLain	Pruitt	Turnham
Jones	Meade	Robertson	Waggoner
Kilgore	Meeks	Sessions	Williams
Laxson	Melton	Slate	Wood
Lemley	Merrill	Smith	Wright
Lybrand	Nettles	Snell	Yeilding
Lyons	Neville	Springer	Young
Malone	Owen (Baldwin)		

—86

And the bill:

H. 1435. To amend the Act proposed at the 1969 Regular Session by H. B. 628, which Act creates and establishes the Limestone County Superior Court in lieu of the Limestone County Court, in order to provide for the creation of the office of Solicitor of the Limestone County Superior Court in lieu of the office of a deputy or county solicitor or a solicitor of the Limestone County Court.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1440. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax collectors serving when the basis of compensation of such officers changed from fee to salary.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1441. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax assessors serving when the basis of compensation of such officers changed from fee to salary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

- 86

And the bill:

H. 1442. To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Wagoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1443. To fix the compensation of the deputy sheriffs of Pickens County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Haygood	McCorquodale
Agee	Dill	Headley	McDonald
Bank	Dobbs	Higginbotham	McElhaney
Bassett	Doss	Hill	McLain
Beck	Downing	Hobbie	Meade
Berryman (W)	Drake	Holladay	Meeks
Blanton	Edington	Holman	Melton
Brannan	Ellis	Jackson (F)	Merrill
Brassell	Fine	Jones	Nettles
Brown	Foshee	Kilgore	Neville
Burgess	Garrett	Laxson	Owen (Baldwin)
Burgreen	Graham	Lemley	Owens (W)
Cameron	Grainger	Lybrand	Paulk
Collier	Grayson	Lyons	Pearson
Collins (C)	Hain	Malone	Pennington
Collins (W)	Hardin	Manley	Perloff
Cook (Coffee)	Harris	Marr	Pruitt

Robertson	Springer	Tuck	Wood
Sessions	Starnes	Turnham	Wright
Slate	Steagall	Waggoner	Yeilding
Smith	Stembridge	Williams	Young
Snell	Stubbs		

—86

And the bill:

H. 1445 (with amendment). To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Strike out Section 2 of the bill in its entirety and insert in lieu thereof the following:

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that territory hereinabove described which is hereby to be brought within the corporate limits of the Town of Phil Campbell, voting in a referendum election to be held on a day designated by the probate judge of Franklin County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Franklin County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____, H. _____ of the 1969 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Phil Campbell in Franklin County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The Town of Phil Campbell shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Ellis
Agee	Brown	Culver	Fine
Bank	Burgess	Dill	Foshee
Bassett	Burgreen	Dobbs	Garrett
Beck	Cameron	Doss	Graham
Berryman (W)	Collier	Downing	Grainger
Blanton	Collins (C)	Drake	Grayson
Brannan	Collins (W)	Edington	Hain

Hardin	Lybrand	Neville	Springer
Harris	Lyons	Owen (Baldwin)	Starnes
Haygood	Malone	Owens (W)	Steagall
Headley	Manley	Paulk	Stembridge
Higginbotham	Marr	Pearson	Stubbs
Hill	McCorquodale	Pennington	Tuck
Hobbie	McDonald	Perloff	Turnham
Holladay	McElhaney	Pruitt	Waggoner
Holman	McLain	Robertson	Williams
Jackson (F)	Meade	Sessions	Wood
Jones	Meeks	Slate	Wright
Kilgore	Melton	Smith	Yeilding
Laxson	Merrill	Snell	Young
Lemley	Nettles		

—86

And the bill, H. 1445, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1448. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cameron	Dill
Agee	Brannan	Collier	Dobbs
Bank	Brassell	Collins (C)	Doss
Bassett	Brown	Collins (W)	Downing
Beck	Burgess	Cook (Coffee)	Drake
Berryman (W)	Burgreen	Culver	Edington

Ellis	Holman	Meeks	Smith
Fine	Jackson (F)	Melton	Snell
Foshee	Jones	Merrill	Springer
Garrett	Kilgore	Nettles	Starnes
Graham	Laxson	Neville	Steagall
Grainger	Lemley	Owen (Baldwin)	Stembridge
Grayson	Lybrand	Owens (W)	Stubbs
Hain	Lyons	Paulk	Tuck
Hardin	Malone	Pearson	Turnham
Harris	Manley	Pennington	Waggoner
Haygood	Marr	Perloff	Williams
Headley	McCorquodale	Pruitt	Wood
Higginbotham	McDonald	Robertson	Wright
Hill	McElhaney	Sessions	Yeilding
Hobbie	McLain	Slate	Young
Holladay	Meade		

—86

And the bill:

H. 1449. Relating to counties having a population of not less than 36,600, nor more than 37,600 according to the last Federal Decennial Census, and providing for the taxing of additional court cost in misdemeanors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

MOTION TO INDEFINITELY POSTPONE

On motion of Mr. Pruitt, the bills, H. 1467, H. 1468, H. 1469, H. 1470 and H. 1471, were indefinitely postponed.

And the bill:

H. 1452. To alter, rearrange and extend the boundary lines of the Town of Stevenson, Jackson County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate

limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1451. Relating to Houston County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dill	Higginbotham	McLain
Agee	Dobbs	Hill	Meade
Bank	Doss	Hobbie	Meeks
Bassett	Downing	Holladay	Melton
Beck	Drake	Holman	Merrill
Berryman (W)	Edington	Jackson (F)	Nettles
Blanton	Ellis	Jones	Neville
Brannan	Fine	Kilgore	Owen (Baldwin)
Brassell	Foshee	Laxson	Owens (W)
Brown	Garrett	Lemley	Paulk
Burgess	Graham	Lybrand	Pearson
Burgreen	Grainger	Lyons	Pennington
Cameron	Grayson	Malone	Perloff
Collier	Hain	Manley	Pruitt
Collins (C)	Hardin	Marr	Robertson
Collins (W)	Harris	McCorquodale	Sessions
Cook (Coffee)	Haygood	McDonald	Slate
Culver	Headley	McElhaney	Smith

Snell	Stembridge	Waggoner	Wright
Springer	Stubbs	Williams	Yeilding
Starnes	Tuck	Wood	Young
Steagall	Turnham		

—86

And the bill:

H. 1450. To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

Was read a third time at length and passed, and ordered sent forth-
with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1472. Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Was taken up.

Mr. Manley offered the following amendment to the bill, H. 1472:

In Section 17, insert at the end of the section and as a part thereof the following new subsection:

(c) Any person or corporation who shall practice barbering or maintain a school of barbering or a barber shop, or act in any capacity where any certificate or license is required under this Act without a certificate or license as provided in the Act, or shall in any other form or manner violate any of the provisions of this Act or any rules and regulations of the board, shall be guilty of a misdemeanor and upon

conviction shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Also, strike out Section 20 of the bill and insert in lieu thereof the following:

Section 20. EFFECTIVE DATE OF ACT BECOMING LAW—

This Act shall take effect January 1, 1970.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill, H. 1472, as thus amended, was read at length a third time and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dill	Higginbotham	McLain
Agee	Dobbs	Hill	Meade
Bank	Doss	Hobbie	Meeks
Bassett	Downing	Holladay	Melton
Beck	Drake	Holman	Merrill
Berryman (W)	Edington	Jackson (F)	Nettles
Blanton	Ellis	Jones	Neville
Brannan	Fine	Kilgore	Owen (Baldwin)
Brassell	Foshee	Laxson	Owens (W)
Brown	Garrett	Lemley	Paulk
Burgess	Graham	Lybrand	Pearson
Burgreen	Grainger	Lyons	Pennington
Cameron	Grayson	Malone	Perloff
Collier	Hain	Manley	Pruitt
Collins (C)	Hardin	Marr	Robertson
Collins (W)	Harris	McCorquodale	Sessions
Cook (Coffee)	Haygood	McDonald	Slate
Culver	Headley	McElhaney	Smith

Snell	Stembridge	Waggoner	Wright
Springer	Stubbs	Williams	Yeilding
Starnes	Tuck	Wood	Young
Steagall	Turnham		

—86

And the bill:

H. 1473. To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Molladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1474. To enlarge the corporate limits of the City of Marion, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brown	Dill	Garrett
Agee	Burgess	Dobbs	Graham
Bank	Burgreen	Doss	Grainger
Bassett	Cameron	Downing	Grayson
Beck	Collier	Drake	Hain
Berryman (W)	Collins (C)	Edington	Hardin
Blanton	Collins (W)	Ellis	Harris
Brannan	Cook (Coffee)	Fine	Haygood
Brassell	Culver	Foshee	Headley

Higginbotham	Manley	Owens (W)	Starnes
Hill	Marr	Paulk	Steagall
Hobbie	McCorquodale	Pearson	Stembridge
Holladay	McDonald	Pennington	Stubbs
Holman	McElhaney	Perloff	Tuck
Jackson (F)	McLain	Pruitt	Turnham
Jones	Meade	Robertson	Waggoner
Kilgore	Meeks	Sessions	Williams
Laxson	Melton	Slate	Wood
Lemley	Merrill	Smith	Wright
Lybrand	Nettles	Snell	Yeilding
Lyons	Neville	Springer	Young
Malone	Owen (Baldwin)		

—86

And the bill:

H. 1493. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1494. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1495. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1496. Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1498. To establish a Civil Service System for the City of Northport; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the

punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1502. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division: prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Lemley
Agee	Cook (Coffee)	Hain	Lybrand
Bank	Culver	Hardin	Lyons
Bassett	Dill	Harris	Malone
Beck	Dobbs	Haygood	Manley
Berryman (W)	Doss	Headley	Marr
Blanton	Downing	Higginbotham	McCorquodale
Brannan	Drake	Hill	McDonald
Brassell	Edington	Hobbie	McElhaney
Brown	Ellis	Holladay	McLain
Burgess	Fine	Holman	Meade
Burgreen	Foshee	Jackson (F)	Meeks
Cameron	Garrett	Jones	Melton
Collier	Graham	Kilgore	Merrill
Collins (C)	Grainger	Laxson	Nettles

Neville	Pruitt	Starnes	Waggoner
Owen (Baldwin)	Robertson	Steagall	Williams
Owens (W)	Sessions	Stembridge	Wood
Paulk	Slate	Stubbs	Wright
Pearson	Smith	Tuck	Yeilding
Pennington	Snell	Turnham	Young
Perloff	Springer		

—86

And the bill:

H. 1507. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was taken up.

Mr. Holladay offered the following amendment to the bill, H. 1507:

House Bill 1507 is hereby amended as follows:

By striking the description as set out in Section 1 and in lieu thereof substituting the following:

"All that part of the East half of the Southeast Quarter of the Northeast Quarter that lies south of Bear Mountain Road in Section 36 of Township 14 South Range One East; Southeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 1 Township 15 South Range 1 East; the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ and all of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ lying North and West of the Southern Railway right-of-way; all of the Northwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ lying North and West of U. S. Highway No. 11 all being situated in Section 12 Township 15 South Range 1 East St. Clair County, Alabama.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill, H. 1507, as thus amended, was read a third time at length

and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 650 (with substitute). To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Be It Enacted by the Legislature of Alabama:

Section 1. Each Judge of Probate and License Commissioner in any county having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census charged with the duty of issuing motor vehicle license tags may, with the approval of the county governing body, issue such license tags by mail, using the United States Post Office, or its successor, upon the written application of a resident-owner of such motor vehicle signed by such owner requesting the Judge of Probate or License Commissioner to issue the same by mail.

Section 2. Such Judge of Probate or License Commissioner issuing motor vehicle license tags under the provisions of this act shall collect, prior to issuing the same, all taxes, fees and other charges as may be required by law to be collected by the Judge of Probate, Tax Collector, License Commissioner or such other official charged with the duty of collecting taxes, fees and other charges on motor vehicles and motor vehicle license tags, and he shall remit the same to such official charged by law with the duty of collecting such taxes, fees and other charges for distribution in accordance with law; and in addition thereto the Judge of Probate or License Commissioner shall collect a mailing fee \$1.00 which he shall pay over to the county to the credit of the general fund.

Section 3. All costs of such mailing service conducted under the provisions of this act shall be paid by the county governing body, including forms, supplies, postage and such clerical help as might be required.

Section 4. Any Judge of Probate or License Commissioner issuing license tags under the provisions of this act shall be authorized to sign the assessment sheet or such other tax form as might be necessary on behalf of the taxpayer and such taxpayer shall be bound thereby as if he had signed the same in person.

Section 5. Any motor vehicle owner making written request for mail services under the provisions of this act shall be deemed to have appointed the United States Post Office Department, or its successor, as his agent for purposes of delivery of such license tag, and the license tag shall be presumed to have been issued to the applicant on delivery, postage

prepaid, to a United States Post Office or its successor, by the Judge of Probate or License Commissioner issuing the same.

Section 6. Each Judge of Probate and License Commissioner electing to issue motor vehicle license tags under the provisions of this act may prescribe such rules and regulations for application of such license tags as he may deem reasonable necessary and may also issue notices to prior year owners by mail with prepared application forms stating the amount of taxes, fees, and other charges due.

Section 7. The provisions of this act are permissive and shall not be construed to require any Judge of Probate or License Commissioner to issue motor vehicle license tags by mail, nor shall it be construed to require any county governing body to approve the issuance of motor vehicle license tags by mail, except that without such approval no such issuance authority shall exist.

Section 8. The provisions of this act are cumulative and shall not repeal any special or local law in conflict herewith.

Section 9. Any delay in issuing motor vehicle license tags by mail under the provisions of this act shall be deemed to be the delay of the applicant.

Section 10. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill, S. 650, as thus amended:

To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provision for such participation to be retroactive.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Graham	Jones
Agee	Collins (W)	Grainger	Kilgore
Bank	Cook (Coffee)	Grayson	Laxson
Bassett	Culver	Hain	Lemley
Beck	Dill	Hardin	Lybrand
Berryman (W)	Dobbs	Harris	Lyons
Blanton	Doss	Haygood	Malone
Brannan	Downing	Headley	Manley
Brassell	Drake	Higginbotham	Marr
Brown	Edington	Hill	McCorquodale
Burgess	Ellis	Hobbie	McDonald
Burgreen	Fine	Holladay	McElhaney
Cameron	Foshee	Holman	McLain
Collier	Garrett	Jackson (F)	Meade

Meeks	Pearson	Snell	Turnham
Melton	Pennington	Springer	Waggoner
Merrill	Perloff	Starnes	Williams
Nettles	Pruitt	Steagall	Wood
Neville	Robertson	Stembridge	Wright
Owen (Baldwin)	Sessions	Stubbs	Yeilding
Owens (W)	Slate	Tuck	Young
Paulk	Smith		

—86

And the bill:

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 702. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Ellis
Agee	Brown	Culver	Fine
Bank	Burgess	Dill	Foshee
Bassett	Burgreen	Dobbs	Garrett
Beck	Cameron	Doss	Graham
Berryman (W)	Collier	Downing	Grainger
Blanton	Collins (C)	Drake	Grayson
Brannan	Collins (W)	Edington	Hain

Hardin	Lybrand	Neville	Springer
Harris	Lyons	Owen (Baldwin)	Starnes
Haygood	Malone	Owens (W)	Steagall
Headley	Manley	Paulk	Stembridge
Higginbotham	Marr	Pearson	Stubbs
Hill	McCorquodale	Pennington	Tuck
Hobbie	McDonald	Perloff	Turnham
Holladay	McElhaney	Pruitt	Waggoner
Holman	McLain	Robertson	Williams
Jackson (F)	Meade	Sessions	Wood
Jones	Meeks	Slate	Wright
Kilgore	Melton	Smith	Yeilding
Laxson	Merrill	Snell	Young
Lemley	Nettles		

—86

And the bill:

S. 746. To provide for expense allowances of members of Boards of Education of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson	Manley		

—86

And the bill:

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 777. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 766. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhanev	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

S. 765 INDEFINITELY POSTPONED

On motion of Mr. Beck, the bill, S. 765, was indefinitely postponed.

And the bill:

S. 781. To provide for and regulate the employment and compensation out of the county treasury of a deputy clerk and other assistants to the clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Drake	Harris
Agee	Cameron	Edington	Haygood
Bank	Collier	Ellis	Headley
Bassett	Collins (C)	Fine	Higginbotham
Beck	Collins (W)	Foshee	Hill
Berryman (W)	Cook (Coffee)	Garrett	Hobbie
Blanton	Culver	Graham	Holladay
Brannan	Dill	Grainger	Holman
Brassell	Dobbs	Grayson	Jackson (F)
Brown	Doss	Hain	Jones
Burgess	Downing	Hardin	Kilgore

Laxson	Meade	Perloff	Stembridge
Lemley	Meeks	Pruitt	Stubbs
Lybrand	Melton	Robertson	Tuck
Lyons	Merrill	Sessions	Turnham
Malone	Nettles	Slate	Waggoner
Manley	Neville	Smith	Williams
Marr	Owen (Baldwin)	Snell	Wood
McCorquodale	Owens (W)	Springer	Wright
McDonald	Paulk	Starnes	Yeilding
McElhaney	Pearson	Steagall	Young
McLain	Pennington		

—86

And the bill:

S. 782. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office, relative to the compensation of the clerical assistants.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 783. To provide for and regulate the employment and the compensation out of the county treasury of a deputy register and other assistants to the register of the circuit court of Morgan County and the Morgan County Court of Morgan County; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson	Manley		

—86

And the bill:

S. 784. To amend further Act No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts 1965, v. 1, p. 762); to amend such Act in relation to the appointment and compensation of the clerk of the jury commission.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 785. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, relative to the compensation of the clerical assistants.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 786. To authorize the judge of probate of Morgan County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 787. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 788. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Lemley
Agee	Cook (Coffee)	Hain	Lybrand
Bank	Culver	Hardin	Lyons
Bassett	Dill	Harris	Malone
Beck	Dobbs	Haygood	Manley
Berryman (W)	Doss	Headley	Marr
Blanton	Downing	Higginbotham	McCorquodale
Brannan	Drake	Hill	McDonald
Brassell	Edington	Hobbie	McElhaney
Brown	Ellis	Holladay	McLain
Burgess	Fine	Holman	Meade
Burgreen	Foshee	Jackson (F)	Meeks
Cameron	Garrett	Jones	Melton
Collier	Graham	Kilgore	Merrill
Collins (C)	Grainger	Laxson	Nettles

Neville	Pruitt	Starnes	Waggoner
Owen (Baldwin)	Robertson	Steagall	Williams
Owens (W)	Sessions	Stembridge	Wood
Paulk	Slate	Stubbs	Wright
Pearson	Smith	Tuck	Yeilding
Pennington	Snell	Turnham	Young
Perloff	Springer		

—86

And the bill:

S. 789. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 790. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Ellis
Agee	Brown	Culver	Fine
Bank	Burgess	Dill	Foshee
Bassett	Burgreen	Dobbs	Garrett
Beck	Cameron	Doss	Graham
Berryman (W)	Collier	Downing	Grainger
Blanton	Collins (C)	Drake	Grayson
Brannan	Collins (W)	Edington	Hain

Hardin	Lybrand	Neville	Springer
Harris	Lyons	Owen (Baldwin)	Starnes
Haygood	Malone	Owens (W)	Steagall
Headley	Manley	Paulk	Stembridge
Higginbotham	Marr	Pearson	Stubbs
Hill	McCorquodale	Pennington	Tuck
Hobbie	McDonald	Perloff	Turnham
Holladay	McElhaney	Pruitt	Waggoner
Holman	McLain	Robertson	Williams
Jackson (F)	Meade	Sessions	Wood
Jones	Meeks	Slate	Wright
Kilgore	Melton	Smith	Yeilding
Laxson	Merrill	Snell	Young
Lemley	Nettles		

—86

And the bill:

S. 803. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Was taken up.

On motion of Mr. Beck, the bill, S. 803, was indefinitely postponed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

S. 804 INDEFINITELY POSTPONED

On motion of Mr. Beck, the bill, S. 804, was indefinitely postponed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson	Manley		

—86

And the bill:

S. 814. To permit banks now or hereafter situated in counties having a population according to the most recent federal decennial census of not less than 49,500 nor more than 50,500 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

S. 820. Relating to counties having a population of not less than

16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1457. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1458. To provide compensatory leave for police officers of cities having a population of 300,000 or more according to the last or any succeeding decennial federal census for time spent in required attendance at court as witnesses in any criminal case or in any civil case resulting from a matter investigated by such officer or in which such cities are involved or interested.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1459. An Act to allow Boards of Education in each city of the State of Alabama having a population of not less than 32,500 nor more than 33,500 according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1460. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collier	Foshee	Holladay
Agee	Collins (C)	Garrett	Holman
Bank	Collins (W)	Graham	Jackson (F)
Bassett	Cook (Coffee)	Grainger	Jones
Beck	Culver	Grayson	Kilgore
Berryman (W)	Dill	Hain	Laxson
Blanton	Dobbs	Hardin	Lemley
Brannan	Doss	Harris	Lybrand
Brassell	Downing	Haygood	Lyons
Brown	Drake	Headley	Malone
Burgess	Edington	Higginbotham	Manley
Burgreen	Ellis	Hill	Marr
Cameron	Fine	Hobbie	McCorquodale

McDonald	Owen (Baldwin)	Slate	Tuck
McElhaney	Owens (W)	Smith	Turnham
McLain	Paulk	Snell	Waggoner
Meade	Pearson	Springer	Williams
Meeks	Pennington	Starnes	Wood
Melton	Perloff	Steagall	Wright
Merrill	Pruitt	Stembridge	Yeilding
Nettles	Robertson	Stubbs	Young
Neville	Sessions		

—86

And the bill:

H. 1461. To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retroactive as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1462. Relating to the Tenth Judicial Circuit, Bessemer Division; providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1463. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1464. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the additional Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court, or County Misdemeanor Court, now or hereafter created, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court, or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1465. To further amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system", so as to make the

provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1466. To create a Local Government Commission in each county in the State having a population of 600,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burgess	Doss	Grayson
Agee	Burgreen	Downing	Hain
Bank	Cameron	Drake	Hardin
Bassett	Collier	Edington	Harris
Beck	Collins (C)	Ellis	Haygood
Berryman (W)	Collins (W)	Fine	Headley
Blanton	Cook (Coffee)	Foshee	Higginbotham
Brannan	Culver	Garrett	Hill
Brassell	Dill	Graham	Hobbie
Brown	Dobbs	Grainger	Holladay

Holman	McDonald	Pearson	Steagall
Jackson (F)	McElhaney	Pennington	Stembridge
Jones	McLain	Perloff	Stubbs
Kilgore	Meade	Pruitt	Tuck
Laxson	Meeks	Robertson	Turnham
Lemley	Melton	Sessions	Waggoner
Lybrand	Merrill	Slate	Williams
Lyons	Nettles	Smith	Wood
Malone	Neville	Snell	Wright
Manley	Owen (Baldwin)	Springer	Yeilding
Marr	Owens (W)	Starnes	Young
McCorquodale	Paulk		

—86

And the bill:

H. 1504. To amend Section 8 and to further amend Sections 3, 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1505. To amend Sections 3, 6, 7 and 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Acts of Alabama, 1966 Special Session, page 280, et seq.) entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who en-

tered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956: to include in said separate System dependents of said presently active employees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

—86

And the bill:

H. 1424. To create one additional circuit court judgeship for any judicial circuit composed of a single county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, responsibilities, qualifications and compensation of such judge; to abolish the office of judge of the juvenile court of any county coming within the influence of this Act, but not the juvenile court of such county; to change the name of such juvenile court to the juvenile division of the circuit court of the circuit composed of the county in which such juvenile court exists; and to provide that such additional judge shall be ex officio judge of the juvenile court in addition to performing his other duties and responsibilities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cameron	Hain	Marr	Robertson
Collier	Hardin	McCorquodale	Sessions
Collins (C)	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Smith
Cook (Coffee)	Headley	McLain	Snell
Culver	Higginbotham	Meade	Springer
Dill	Hill	Meeks	Starnes
Dobbs	Hobbie	Melton	Steagall
Doss	Holladay	Merrill	Stembridge
Downing	Holman	Nettles	Stubbs
Drake	Jackson (F)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Kilgore	Owens (W)	Waggoner
Fine	Laxson	Paulk	Williams
Foshee	Lemley	Pearson	Wood
Garrett	Lybrand	Pennington	Wright
Graham	Lyons	Perloff	Yeilding
Grainger	Malone	Pruitt	Young
Grayson	Manley		

—86

And the bill:

S. 775. To make an appropriation for the payment of expenses of the Legislature.

Was read a third time at length and passed.

Yeas 70; Nay 1.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owen (Baldwin)
Agee	Fine	Laxson	Pearson
Bassett	Foshee	Lemley	Pennington
Beck	Gafford	Lybrand	Perloff
Bolton	Garrett	Lyons	Pruitt
Bowers	Graham	Manley	Sessions
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Burgess	Hain	McCorquodale	Starnes
Cameron	Hardin	McDonald	Steagall
Collier	Harris	McLain	Stembridge
Collins (C)	Haygood	Meade	Stubbs
Cook (Coffee)	Higginbotham	Melton	Tuck
Crawford	Hill	Merrill	Wood
Culver	Hobbie	Money	Wright
Dill	Holman	Nettles	Yeilding
Dobbs	Jackson (F)	Neville	Young
Downing	Jones		

—70

Nay: Mr. Cherner.

—1

And the bill:

H. 1342. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than \$4,000,000 in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Research Institute at Huntsville and the University of Alabama at Huntsville.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Dobbs	Holladay	Neville
Agee	Doss	Holman	Owen (Baldwin)
Bassett	Downing	Jackson (F)	Owens (W)
Beck	Drake	Jones	Pearson
Berryman (W)	Ellis	Laxson	Pennington
Blanton	Fine	Lemley	Pruitt
Bolton	Foshee	Lybrand	Sessions
Brannan	Garrett	Lyons	Slate
Brassell	Gloor	Manley	Smith
Burgess	Graham	Marr	Snell
Cameron	Grainger	Mays	Springer
Cherner	Grayson	McCorquodale	Starnes
Collier	Hain	McDonald	Steagall
Collins (C)	Hardin	McElhaney	Stembridge
Collins (W)	Harris	McLain	Stubbs
Cook (Coffee)	Haygood	Meade	Tuck
Cook (Jefferson)	Headley	Melton	Williams
Crawford	Higginbotham	Merrill	Wood
Culver	Hill	Money	Wright
Dill	Hobbie	Nettles	Young

—80

Nays: Messrs. Gafford and Watkins.

—2

And the bill:

H. 614. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 3.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pearson
Agee	Downing	Jones	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Blanton	Fine	Lybrand	Sessions
Bolton	Foshee	Lyons	Slate
Brannan	Gafford	Malone	Smith
Brassell	Garrett	Manley	Snell
Burgess	Graham	Marr	Springer
Burgreen	Grainger	McCorquodale	Starnes
Cameron	Grayson	McDonald	Steagall
Cherner	Hain	McElhaney	Stembridge
Collier	Hardin	McLain	Tuck
Collins (C)	Harris	Meade	Turnham
Collins (W)	Haygood	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crawford	Hill	Nettles	Wright
Culver	Hobbie	Neville	Yeilding
Dill	Holman	Owen (Baldwin)	Young
Dobbs	House	Owens (W)	

—83

Nays: Messrs. Gloor, Jackson (T) and Stubbs.

—3

MOTION TO BRING UP H. 731

On motion of Mr. Snell, the rules were suspended and permission granted to bring up out of order the bill, H. 731.

Yeas 66; Nays 16.

Yeas:

Mr. Speaker	Doss	Holladay	Owen (Baldwin)
Agee	Downing	Holman	Pearson
Beck	Drake	Jackson (F)	Pennington
Berryman (W)	Edington	Jones	Perloff
Blanton	Fine	Lemley	Pruitt
Bolton	Foshee	Lybrand	Sessions
Brannan	Garrett	Lyons	Slate
Brassell	Graham	Marr	Snell
Burgess	Grainger	McDonald	Springer
Burgreen	Grayson	McElhaney	Starnes
Cameron	Hain	McLain	Steagall
Collier	Hardin	Meade	Stubbs
Collins (C)	Harris	Melton	Williams
Collins (W)	Haygood	Money	Wood
Culver	Higginbotham	Nettles	Wright
Dill	Hill	Neville	Young
Dobbs	Hobbie		

—66

Nays:

Messrs.:	Gafford	Malone	Smith
Cherner	Gloor	Manley	Stembridge
Cook (Jefferson)	Jackson (T)	Merrill	Tuck
Crawford	Laxson	Owens (W)	Watkins
Ellis			

—16

And the bill:

H. 731. To amend Code of Alabama 1940, Title 51, Section 545, levying a privilege license tax on lightning-rod salesmen to make further provisions for levying such privilege licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hain	Manley
Agee	Crawford	Hardin	Mays
Bassett	Culver	Harris	McCorquodale
Beck	Dill	Haygood	McDonald
Berryman (W)	Dobbs	Headley	McElhaney
Blanton	Doss	Higginbotham	McLain
Bolton	Downing	Hill	Meade
Brannan	Drake	Hobbie	Melton
Brassell	Edington	Holladay	Merrill
Burgess	Ellis	Holman	Money
Burgreen	Fine	Jackson (F)	Nettles
Cameron	Foshee	Jones	Neville
Cherner	Gafford	Laxson	Owen (Baldwin)
Collier	Garrett	Lemley	Owens (W)
Collins (C)	Graham	Lybrand	Pearson
Collins (W)	Grainger	Lyons	Pennington
Cook (Coffee)	Grayson	Malone	Perloff

Pruitt	Springer	Stubbs	Wood
Sessions	Starnes	Tuck	Wright
Slate	Steagall	Turnham	Yeilding
Snell	Stembridge	Williams	Young

—84

MOTION TO ADJOURN LOST

On motion of Mr. Downing that the House adjourn until eleven o'clock A. M. Wednesday, August 20, 1969, was lost.

Yeas 34; Nays 56.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Melton
Beck	Ellis	Laxson	Neville
Berryman (W)	Fine	Lemley	Perloff
Burgreen	Gafford	Lyons	Slate
Cameron	Grayson	Manley	Steagall
Collier	Hain	Marr	Tuck
Dill	Haygood	Mathews	Watkins
Doss	Headley	Meade	Wood
Downing	Holladay		

—34

Nays:

Messrs.:	Edington	Lybrand	Pennington
Agee	Foshee	Malone	Pruitt
Bassett	Garrett	Mays	Sessions
Bolton	Graham	McCorquodale	Smith
Brassell	Grainger	McDonald	Springer
Brown	Hardin	McElhaney	Starnes
Burgess	Harris	McLain	Stembridge
Cherner	Higginbotham	Meeks	Stubbs
Collins (C)	Hill	Merrill	Turnham
Collins (W)	Holman	Money	Waggoner
Cook (Coffee)	House	Nettles	Williams
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Wright
Crawford	Jones	Owens (W)	Yeilding
Culver	Kilgore	Pearson	Young
Dobbs			

—56

And the bill:

S. 558. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cherner	Crawford
Agee	Brassell	Collier	Culver
Bassett	Brown	Collins (C)	Dill
Beck	Burgess	Collins (W)	Dobbs
Berryman (W)	Burgreen	Cook (Coffee)	Doss
Bolton	Cameron	Cook (Jefferson)	Downing

Drake	Hill	McDonald	Smith
Edington	Hobbie	McElhaney	Snell
Ellis	Holladay	McLain	Springer
Fine	Holman	Meade	Starnes
Foshee	House	Melton	Steagall
Gafford	Jackson (F)	Merrill	Stembridge
Garrett	Jackson (T)	Money	Stubbs
Gloor	Jones	Nettles	Tuck
Graham	Laxson	Neville	Turnham
Grainger	Lemley	Owen (Baldwin)	Waggoner
Grayson	Lyons	Owens (W)	Watkins
Hain	Malone	Pearson	Williams
Hardin	Manley	Pennington	Wood
Harris	Marr	Perloff	Wright
Haygood	Mathews	Pruitt	Yeilding
Headley	Mays	Sessions	Young
Higginbotham	McCorquodale	Slate	

—91

MOTION TO BRING UP H. 1284

On motion of Mr. Blanton, the rules were suspended and permission granted to bring up out of order the bill, H. 1284.

Yeas 74; Nays 8.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owen (Baldwin)
Agee	Doss	Lemley	Pearson
Beck	Downing	Lybrand	Pennington
Berryman (W)	Drake	Lyons	Pruitt
Blanton	Edington	Malone	Robertson
Bolton	Fine	Manley	Sessions
Brannan	Foshee	Marr	Slate
Brassell	Garrett	Mathews	Snell
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McDonald	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collier	Haygood	Meade	Turnham
Collins (C)	Headley	Melton	Williams
Collins (W)	Higginbotham	Money	Wood
Cook (Coffee)	Hill	Nettles	Wright
Culver	Hobbie	Neville	Young
Dill	Holladay		

—74

Nays:

Messrs.:	Gafford	Jones	Owens (W)
Cook (Jefferson)	Jackson (T)	Laxson	Perloff
Ellis			

—8

And the bill:

H. 1284. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment; and to grant additional authority to the board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones	Pearson
Agee	Downing	Laxson	Pennington
Bassett	Drake	Lemley	Perloff
Beck	Ellis	Lybrand	Pruitt
Berryman (W)	Fine	Lyons	Sessions
Bolton	Foshee	Malone	Slate
Brannan	Gafford	Manley	Smith
Brassell	Garrett	Marr	Snell
Burgess	Gloor	Mathews	Starnes
Burgreen	Grainger	Mays	Steagall
Cameron	Grayson	McCorquodale	Stembridge
Cherner	Hardin	McDonald	Stubbs
Collier	Harris	McElhaney	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Melton	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Williams
Cook (Jefferson)	Hill	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holman	Neville	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs	Jackson (T)	Owens (W)	

—83

And the bill:

H. 587. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 6.

Yeas:

Mr. Speaker	Dobbs	Laxson	Owen (Baldwin)
Agee	Downing	Lemley	Owens (W)
Bassett	Drake	Lybrand	Pearson
Beck	Fine	Lyons	Perloff
Berryman (W)	Foshee	Manley	Pruitt
Bolton	Garrett	Marr	Robertson
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Steagall
Burgreen	Harris	McElhaney	Stembridge
Cameron	Haygood	McLain	Stubbs
Cherner	Headley	Meade	Tuck
Collier	Higginbotham	Melton	Turnham
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Hobbie	Money	Wood
Cook (Jefferson)	Holman	Nettles	Yeilding
Crawford	Jackson (F)	Neville	Young
Culver			

—73

Nays:

Messrs.:	Dill	Gloor	Malone
Collins (C)	Gafford	Jackson (T)	

—6

And the bill:

H. 585. To amend Title 51, Section 701(1), Code of Alabama 1940, as amended, which provides for tags for motor vehicles owned and used by state, county or municipality to provide distinctive tags for vehicles of municipal gas districts.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Owens (W)
Agee	Drake	Lemley	Pearson
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Sessions
Blanton	Garrett	Manley	Slate
Brannan	Gloor	Marr	Smith
Brassell	Grainger	Mathews	Snell
Brown	Grayson	Mays	Springer
Burgess	Hain	McCorquodale	Starnes
Burgreen	Hardin	McDonald	Steagall
Cameron	Harris	McElhaney	Stembridge
Cherner	Haygood	McLain	Stubbs
Collier	Headley	Meade	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Cook (Coffee)	Hill	Merrill	Waggoner
Cook (Jefferson)	Hobbie	Money	Williams
Crawford	Holman	Nettles	Wood
Culver	Jackson (F)	Neville	Yeilding
Dill	Jackson (T)	Owen (Baldwin)	Young
Dobbs	Kilgore		

—82

And the bill:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Was taken up.

Mr. Beck offered the following amendment to the bill, S. 117:

Amend S. B. 117 by deleting the first line of Section 1, (b) and adding the following in lieu thereof:

"Section 1 (b) Who has served or 16 years or more as such official."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cherner	Dill
Agee	Brannan	Collier	Dobbs
Bassett	Brassell	Collins (C)	Doss
Beck	Burgess	Cook (Coffee)	Downing
Berryman (W)	Burgreen	Crawford	Drake
Blanton	Cameron	Culver	Fine

Foshee	Jackson (F)	Meade	Slate
Gafford	Jackson (T)	Meeks	Smith
Garrett	Kilgore	Melton	Snell
Graham	Laxson	Merrill	Springer
Grainger	Lemley	Money	Starnes
Grayson	Lybrand	Nettles	Stembridge
Hain	Lyons	Neville	Stubbs
Hardin	Malone	Owen (Baldwin)	Tuck
Harris	Manley	Owens (W)	Turnham
Haygood	Mathews	Pearson	Williams
Headley	Mays	Pennington	Wood
Higginbotham	McCorquodale	Perloff	Wright
Hill	McDonald	Pruitt	Yeilding
Hobbie	McElhaney	Robertson	Young
Holman	McLain	Sessions	

—83

And the bill, S. 117, as thus amended, was read a third time and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bassett	Fine	Lybrand	Perloff
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Blanton	Garrett	Manley	Sessions
Bolton	Graham	Marr	Slate
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Springer
Burgess	Hardin	McDonald	Starnes
Burgreen	Harris	McElhaney	Steagall
Cameron	Haygood	McLain	Stembridge
Cherner	Headley	Meade	Stubbs
Collier	Higginbotham	Meeks	Tuck
Collins (C)	Hill	Melton	Turnham
Collins (W)	Hobbie	Merrill	Waggoner
Cook (Coffee)	Holman	Money	Williams
Crawford	Jackson (F)	Nettles	Wood
Culver	Jackson (T)	Neville	Wright
Dill	Jones	Owen (Baldwin)	Yeilding
Dobbs	Kilgore	Owens (W)	Young
Doss			

—89

And the bill:

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Was read a third time at length and passed.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker	Berryman (W)	Brannan	Burgreen
Agee	Blanton	Brassell	Cameron
Bassett	Bolton	Brown	Collier
Beck	Bowers	Burgess	Collins (C)

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Collins (W)	Haygood	McCorquodale	Robertson
Cook (Coffee)	Headley	McDonald	Slate
Crawford	Higginbotham	McElhaney	Smith
Culver	Hill	McLain	Snell
Dill	Hobbie	Meade	Springer
Dobbs	Holman	Meeks	Starnes
Doss	Jackson (F)	Melton	Steagall
Downing	Jackson (T)	Merrill	Stembridge
Drake	Jones	Money	Stubbs
Fine	Laxson	Nettles	Tuck
Foshee	Lybrand	Neville	Turnham
Garrett	Lyons	Owen (Baldwin)	Waggoner
Graham	Malone	Owens (W)	Watkins
Grainger	Manley	Pearson	Williams
Grayson	Marr	Pennington	Wood
Hain	Mathews	Perloff	Wright
Hardin	Mays	Pruitt	Yeilding
Harris			—85

Nays: Messrs. Lemley and Young. —2

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until ten o'clock A. M. Wednesday, August 20, 1969, was lost.

Yeas 35; Nays 53.

Yeas:

Mr. Speaker	Doss	Lemley	Perloff
Beck	Downing	Lyons	Pruitt
Berryman (W)	Drake	Manley	Slate
Bowers	Fine	Mathews	Snell
Brassell	Gafford	Meeks	Steagall
Burgreen	Grayson	Melton	Tuck
Collier	Holladay	Money	Turnham
Dill	Jackson (T)	Neville	Watkins
Dobbs	Laxson	Pearson	—35

Nays:

Messrs.:	Culver	Jones	Pennington
Agee	Ellis	Kilgore	Robertson
Bank	Foshee	Lybrand	Sessions
Bassett	Graham	Marr	Smith
Blanton	Grainger	Mays	Springer
Bolton	Hardin	McDonald	Starnes
Brown	Harris	McElhaney	Stembridge
Burgess	Haygood	McLain	Stubbs
Cameron	Headley	Meade	Waggoner
Cherner	Hill	Merrill	Williams
Collins (W)	Hobbie	Nettles	Wood
Cook (Coffee)	Holman	Owen (Baldwin)	Wright
Cook (Jefferson)	House	Owens (W)	Young
Crawford	Jackson (F)		—53

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Com-

mittee on Conference appointed to reconcile the disagreement between the two Houses on the Senate amendment to the Bill:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over the state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

And said Bill, H. B. 673, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion of Mr. Williams that the House adjourn until eleven o'clock A. M. Wednesday, August 20, 1969, was lost.

Yeas 32; Nays 56.

Yeas:

Mr. Speaker	Downing	Lemley	Perloff
Bowers	Drake	Lyons	Slate
Burgreen	Fine	Marr	Steagall
Collins (W)	Gafford	Mathews	Tuck
Cook (Coffee)	Grayson	McCorquodale	Watkins
Dill	Haygood	Money	Weeks
Dobbs	Jackson (T)	Neville	Williams
Doss	Laxson	Pearson	Wood

—32

Nays:

Messrs.:	Crawford	Jackson (F)	Owens (W)
Adwell	Culver	Jones	Pennington
Agee	Ellis	Kilgore	Pruitt
Bank	Foshee	Lybrand	Robertson
Bassett	Graham	Malone	Sessions
Berryman (W)	Grainger	Mays	Smith
Blanton	Hardin	McDonald	Springer
Brannan	Harris	McElhaney	Starnes
Brassell	Headley	McLain	Stembridge
Brown	Higginbotham	Meeks	Stubbs
Burgess	Hill	Melton	Turnham
Cameron	Hobbie	Merrill	Waggoner
Cherner	Holman	Nettles	Wright
Collins (C)	House	Owen (Baldwin)	Young
Cook (Jefferson)			

—56

MOTION TO RECONSIDER AND CARRY OVER H. 342

Having voted on the prevailing side by which the House failed to

override the veto of the Governor, Mr. Higginbotham moved to reconsider the vote by which it failed, and to carry over the bill, H. 342, to the thirty-fourth legislative day, and the motion was adopted.

And the bill:

H. 336. Relating to the purchase of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street, road or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 44; Nays 27.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Neville
Bassett	Culver	Hill	Owen (Baldwin)
Beck	Doss	Holman	Pearson
Blanton	Downing	Jones	Pennington
Brannan	Drake	Lemley	Perloff
Brassell	Fine	Lybrand	Sessions
Brown	Haln	Mays	Smith
Burgess	Hardin	McElhaney	Springer
Cameron	Harris	Meeks	Steagall
Cherner	Haygood	Merrill	Stubbs
Cook (Coffee)	Headley	Nettles	Young

—44

Nays:

Messrs.:	Dill	Jackson (T)	Melton
Agee	Dobbs	Laxson	Money
Berryman (W)	Gafford	Lyons	Pruitt
Bowers	Garrett	Manley	Robertson
Burgreen	Graham	Marr	Slate
Collins (C)	Grainger	McCorquodale	Turnham
Cook (Jefferson)	Grayson	McLain	Williams

—27

And the bill:

H. 1315. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, con-

struct, operate, improve and finance one or more waterworks plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and corporate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker
Adwell

Agee
Bassett

Beck
Berryman (W)

Blanton
Bolton

Bowers	Foshee	Kilgore	Owens (W)
Brannan	Gafford	Laxson	Pearson
Brassell	Garrett	Lemley	Pennington
Brown	Graham	Lybrand	Perloff
Burgess	Grainger	Malone	Pruitt
Burgreen	Grayson	Manley	Robertson
Cameron	Hain	Marr	Sessions
Cherner	Hardin	Mathews	Smith
Collier	Harris	Mays	Springer
Collins (W)	Haygood	McCorquodale	Starnes
Cook (Coffee)	Headley	McDonald	Steagall
Cook (Jefferson)	Higginbotham	McLain	Stembridge
Crawford	Hill	Meade	Stubbs
Culver	Hobbie	Meeks	Tuck
Dill	Holladay	Melton	Turnham
Dobbs	Holman	Merrill	Waggoner
Downing	House	Money	Williams
Drake	Jackson (F)	Nettles	Wright
Ellis	Jackson (T)	Neville	Yeilding
Fine	Jones	Owen (Baldwin)	Young

—88

And the bill:

H. 1296. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 3.

Yeas:

Mr. Speaker	Burgess	Crawford	Garrett
Agee	Burgreen	Culver	Graham
Bassett	Cameron	Dill	Grainger
Beck	Cherner	Dobbs	Grayson
Berryman (W)	Collier	Downing	Hain
Blanton	Collins (C)	Drake	Hardin
Bolton	Collins (W)	Ellis	Harris
Brassell	Cook (Coffee)	Fine	Haygood
Brown	Cook (Jefferson)	Foshee	Headley

Hill	Marr	Nettles	Starnes
Hobbie	Mathews	Neville	Steagall
Holman	Mays	Owen (Baldwin)	Stembridge
House	McCorquodale	Owens (W)	Stubbs
Jackson (F)	McDonald	Pearson	Tuck
Jones	McElhaney	Pennington	Turnham
Kilgore	McLain	Perloff	Waggoner
Laxson	Meade	Pruitt	Williams
Lemley	Meeks	Robertson	Wright
Lyons	Melton	Sessions	Yeilding
Malone	Merrill	Slate	Young
Manley	Money	Springer	

—83

Nays: Messrs. Gafford, Gloor and Jackson (T).

—3

And the bill:

H. 1321. To amend Sections 107 and 176, Title 17 and Section 34(39) Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

Was taken up.

Mr. Lyons offered Amendment #1 to the bill, H. 1321, said amendment being as follows:

Amend the title of House Bill 1321 by adding after "(39)," the following:

"34 (50), 34 (92) and 34 (103),"

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Adwell	Drake	Lemley	Pruitt
Agee	Fine	Lybrand	Robertson
Bassett	Foshee	Malone	Sessions
Beck	Gafford	Manley	Slate
Berryman (W)	Garrett	Marr	Smith
Blanton	Graham	McCorquodale	Snell
Bolton	Grayson	McDonald	Springer
Brannan	Hain	McElhaney	Starnes
Brassell	Hardin	Meade	Steagall
Brown	Harris	Meeks	Stembridge
Burgess	Haygood	Melton	Stubbs
Burgreen	Headley	Merrill	Tuck
Cameron	Hill	Money	Turnham
Collins (C)	Hobbie	Nettles	Waggoner
Collins (W)	House	Neville	Williams
Crawford	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jackson (T)	Owens (W)	Yeilding
Dill	Jones	Pearson	Young
Dobbs	Kilgore	Pennington	

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Mr. Lyons then offered Amendment #2 to the bill, H. 1321, said amendment being as follows:

Amend Section 4 to read as follows:

"Section 4. Section 34(39), Section 34 (50), Section 34 (92) and

Section 34 (103), Title 37, Code of Alabama 1940, as amended, shall each be amended to read:

'Assistance to voters shall be given only for the reasons and only in the manner as provided for the giving of assistance in general elections in the state.'"

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff
Adwell	Downing	Lemley	Pruitt
Agee	Drake	Lybrand	Robertson
Bassett	Fine	Malone	Sessions
Beck	Foshee	Manley	Slate
Berryman (W)	Gafford	Marr	Smith
Blanton	Garrett	Mathews	Snell
Brannan	Graham	McCorquodale	Springer
Brassell	Grayson	McDonald	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	Meeks	Stembridge
Cameron	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Tuck
Collins (C)	Headley	Money	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Watkins
Cook (Jefferson)	House	Owen (Baldwin)	Williams
Crawford	Jackson (F)	Owens (W)	Wright
Culver	Jackson (T)	Pearson	Yeilding
Dill	Jones	Pennington	Young

—80

And the bill, H. 1321, as thus amended:

H. 1321. To amend Sections 107 and 176, Title 17 and Section 34(39), 34(50), 34(92 and 34(103) Title 37, Code of Alabama 1940, as amended; to provide a uniform procedure for the assistance of voters in all elections, and repealing conflicting sections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	Hill	McCorquodale
Adwell	Dill	Hobbie	McDonald
Agee	Dobbs	Holman	McElhaney
Bassett	Downing	House	Meade
Beck	Drake	Jackson (F)	Meeks
Berryman (W)	Fine	Jackson (T)	Melton
Bolton	Foshee	Jones	Merrill
Brannan	Gafford	Kilgore	Money
Brassell	Garrett	Laxson	Nettles
Burgess	Graham	Lemley	Neville
Burgreen	Grayson	Lybrand	Owen (Baldwin)
Cameron	Hain	Lyons	Owens (W)
Collier	Hardin	Malone	Pearson
Collins (W)	Harris	Manley	Pennington
Cook (Jefferson)	Haygood	Marr	Perloff
Crawford	Headley	Mathews	Pruitt

Robertson	Snell	Stubbs	Williams
Sessions	Springer	Tuck	Wright
Slate	Steagall	Turnham	Yeilding
Smith	Stembridge	Waggoner	Young

—80

And the bill:

H. 1447. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jones	Pearson	Young
Downing	Kilgore		

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And the bill:

H. 1323. To provide for the resumption of the use of literacy tests as a qualification for voting as required by the state Constitution consistent with any federal law, orders, plan or court ruling under which tests may be resumed; to provide assistance to boards of registrars in conducting such tests and operating under such plan; and to provide for enforcement of applicable laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Brassell	Collins (W)	Downing
Adwell	Brown	Cook (Jefferson)	Ellis
Bassett	Burgess	Crawford	Fine
Beck	Burgreen	Culver	Foshee
Berryman (W)	Cameron	Dill	Gafford
Bolton	Collier	Dobbs	Garrett
Brannan	Collins (C)	Doss	Gloor

Graham	Laxson	Melton	Snell
Grayson	Lemley	Merrill	Springer
Hain	Lybrand	Money	Starnes
Hardin	Lyons	Nettles	Steagall
Harris	Manley	Owen (Baldwin)	Stembridge
Haygood	Marr	Pearson	Stubbs
Hill	Mathews	Pennington	Tuck
Hobbie	McCorquodale	Perloff	Waggoner
Holman	McDonald	Pruitt	Watkins
House	McElhaney	Robertson	Williams
Jackson (F)	McLain	Sessions	Wright
Jackson (T)	Meade	Slate	Yeilding
Jones	Meeks	Smith	Young
Kilgore			

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MOTION TO ADJOURN LOST

The motion of Mr. Mays that the House adjourn until ten o'clock A. M. Wednesday, August 20, 1969, was lost.

Yeas 42; Nays 45.

Yeas:

Mr. Speaker	Downing	Malone	Slate
Adwell	Drake	Manley	Snell
Beck	Fine	Marr	Steagall
Brassell	Gafford	Mathews	Tuck
Burgreen	Grayson	McCorquodale	Turnham
Cameron	Harris	Meade	Watkins
Collier	Haygood	Neville	Weeks
Collins (W)	Jackson (T)	Paulk	Wright
Dill	Laxson	Pearson	Yeilding
Dobbs	Lemley	Perloff	Young
Doss	Lyons		

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Nays:

Messrs.:	Foshee	Mays	Pennington
Agee	Garrett	McDonald	Pruitt
Bank	Graham	McElhaney	Robertson
Bassett	Grainger	McLain	Sessions
Berryman (W)	Hardin	Meeks	Smith
Bolton	Hill	Melton	Springer
Brown	Holman	Merrill	Starnes
Burgess	House	Money	Stembridge
Collins (C)	Jackson (F)	Nettles	Stubbs
Cook (Jefferson)	Jones	Owen (Baldwin)	Waggoner
Crawford	Kilgore	Owens (W)	Williams
Culver	Lybrand		

—45

And the bill:

H. 48 (with substitute). To provide for absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, p. 601) and all acts amendatory or supplementary thereto.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for casting of absentee ballots in primary, general, special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connection therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act no. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session, 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965; page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Article 4A, Title 17, Code of Alabama, 1940, as amended, is intended to be hereby amended in its entirety, and Acts of 1949, 1959, 1961, 1965 and 1967 concerning absentee voting and all other acts in conflict herewith are intended to be repealed, and the following sections, numbered 2 through 28, are hereby enacted.

Section 2. The provisions of this article shall apply to all primary, general, special and municipal elections held in the State of Alabama.

Section 3. Any qualified elector of this state whose name, at the time of any primary, general, special or municipal election appears on the official list of registered voters in any county of the state shall be entitled to vote an absentee ballot if he meets the qualifications described in one of the following categories listed (a) through (j) and, upon application to the board of registrars of his county of residence, is approved as so doing.

(a) Any person in service as a member of the armed forces of the United States, including the Alabama National Guard and the reserve components of the United States Army, Navy, Air Force, Marine Corps and Coast Guard, on active duty for training, or any member of the National Guard who expects to be away from his residence on summer encampment on active duty on the date of any election.

(b) The wife of any member of the military forces of the United States described in (a), above, who is residing with him at his place of duty provided her name appears on the list of registered voters of her county of permanent residence and regardless of whether or not the name of the husband appears thereon.

(c) Any person who is absent from the county because of attendance at any university or college at which he is duly enrolled outside the county.

(d) The spouse of any person attending college outside the county if the spouse is a registered voter and regardless of whether or not the student is registered to vote.

(e) Any person who is confined to a hospital other than a hospital for mental patients, or confined to a nursing home, rest home, sanitarium, or who will have entered such an institution by the date of the next election, or who is confined to his or her home or the home of another person on account of physical disability.

(f) Any disabled veteran confined in a facility or hospital operated by the Veterans Administration.

(g) Any person whose regular business or occupation regularly requires that he be absent from the county in the performance of his regular duties, and who at the time of any election may be absent due to his regular business or occupation, and in the performance of the duties thereof, and also including persons who will be absent on election day to attend meetings or conventions connected with their regular business but held outside of the county, and the spouses of any such persons attending such meetings or accompanying them on such business trips, provided the husband or wife is approved as meeting the requirements for an absentee voter.

(h) Any person employed as a seaman, sailor, mariner or deep-sea saltwater fisherman.

(i) Any person employed or residing with a person who is employed outside the United States; any person employed in his home county but sent on special work assignment for more than two weeks duration outside the county or state and members of his family who accompany him; any person employed by the state or federal government and temporarily located, for the purposes of employment, outside the county of residence including members of the United States Congress and their employees and persons residing with such state and federal employees.

(j) Any person who within six months of the election in which he seeks to vote has moved his legal residence from the county of registration to another county in Alabama, and any person who within one year of the election in which he seeks to vote has moved his legal residence from the county of registration to another state, provided, however, that the right to vote absentee shall expire after six months, in the case of persons moving to another county and shall expire after one year, or after he has resided in the other state for the length of time required prior to registration to vote in that state, if such length of time is shorter than one year, in the case of persons moving to other states.

Section 4. Applications to be transferred to the absentee voting list shall be made to the board of registrars of the county where the applicant's name appears on the list of registered voters. Such applications may be made in person before the board of registrars or any clerk of the board designated to receive such applications and to administer an oath as to the truthfulness of the statements made therein, or may be made by mail provided that in such case the application shall be made on the form herein provided for this purpose and shall be notarized and the seal of the notary shall be attached thereto. The board of registrars shall act on such applications and shall sign them as approving or disapproving at any regular meeting of the board and must meet at least 22 days before each election and again 10 days before each election to act on such applications and to transfer such names to the list of absentee voters, provided, however, that no person shall be transferred to such list later than 10 days prior to any election, and provided, further, that the two meeting days provided for herein shall not be in addition to the meeting days provided by law but shall be in lieu of any regular meeting days which the board of registrars shall designate; and provided, further, that where registrars do not maintain an office open at all regular courthouse hours then a clerk, who may be a member of the board, if the board so designates, shall be on duty six days a week from the 20th to the 10th day before every countywide election for the purpose of receiving applications for absentee voting and shall be compensated as provided by Section 55(1), Title 17, Code of Alabama, 1940, as amended, Act No. 829, Page 1557, Regular Session, 1965. On the first

such meeting day held by the registrars, applications for registration may be taken, but no applications for registration shall be taken or shall be acted upon on the meeting day held on the 10th day prior to each election.

Section 5. The form of the application shall be prescribed by the Secretary of State who shall send a copy to each board of registrars, provided that the application form shall require the applicant's full name and the applicant's name as it appears on the list of registered voters, if different, date of birth, race, sex, address, place of employment, nature of duties requiring regular absence from the county, frequency of absences, dates of last absence and, in case of those who have moved to other counties or states, the date of moving from the county of registration; provided, further, that in the case of persons who are attending college or are the spouses of persons attending college the application shall be accompanied by a statement signed by the registrar of the college or university, or his qualified assistant, stating that such person is duly enrolled at such institution or is the spouse of a person so enrolled at such institution; and provided, further, that to the application of persons claiming physical disability there shall be attached a notarized statement signed by a licensed practicing physician of this state certifying where applicant is confined and describing his or her physical condition and further stating that he or she will be physically unable to go to his or or her polling place to vote at the next election, and stating whether or not such disability is temporary or permanent, and the form shall provide for the voter to state where he is confined and that he will not be able to go to the polls at the next election and whether or not the condition is temporary or permanent. A supply of such applications shall be furnished the board of registrars by the county governing body the same as other supplies for elections are furnished.

Section 6. Any member of the armed forces or their wives, including all persons entitled to vote absentee under subsections (a) and (b) of Section 3, above, may make application for transfer to the absentee voting list as hereinabove provided or may make application as authorized and provided for under the provisions of applicable federal law.

Section 7. The board of registrars shall have the right to investigate the truthfulness of any application for transfer to the absentee voting list the same as it may do in regard to other matters coming before the board for action, and the name shall be transferred to the absentee voters list and the register in chancery, or other person charged with the duties of handling absentee ballots, shall be notified the same day if the application is approved by two members of the board signing it as approving it. The board of registrars shall at all times keep for public inspection a list of names of all persons transferred to the absentee voting list and not removed therefrom. Any qualified voter of the county or state may file in writing with the board of registrars a complaint charging that a person on such list is not qualified for such voting and the reason for such contention must be set out therein. Each such complaint must be investigated by the board of registrars and a written report of the findings must be placed on file and a copy must be given the complaining party on request, provided, however, that this shall not apply to complaints filed less than 10 days before an election. The board of registrars may remove a name from the list of absentee voters at any time, but no names shall be added to the list within 10 days of an election except those who apply on the 10th day prior to the election and these must be added as soon as acted upon and in no event less than five days before the election. Notice as to names placed on the list shall be given the register in chancery in writing over the signature of at least two board members.

Section 8. Names thus placed on the list of absentee voters shall remain on such list until a request is made to the board of registrars to remove such name from the list or the board finds that a person is no longer qualified to vote absentee. After each name entered on such list of absentee voters shall be placed a date on which the placement shall expire which in no case shall be later than January 1 of the next subsequent even-numbered year, and in the case of persons moving to another county of the state shall be no longer than six months after date of removal, and in the case of persons moving to another state shall be no longer than one year after such removal or sooner if the length of residence required to register to vote in the state is less than one year. On such date of expiration each person on the list of absentee voters shall be mailed a notice of renewal, requesting that they write the board of registrars whether his situation remains the same and he wishes his name to remain on the absentee list or whether he wishes his name to be transferred to the list of the voting district of his residence, in which latter case he shall state his address and, if such is not by house number and street, shall describe the location of his residence so that he may be properly placed for voting. Any persons sent such notices and failing to reply shall be removed from the absentee box and, if the registrars determine that he has moved away permanently or that his whereabouts is unknown, he may be advertised for removal from the list of registered voters.

Section 9. Ballots may be mailed to persons overseas or persons in military service starting 45 days before any election or as soon as ballots are received and may be cast by other persons whose names appear on the absentee voters list twenty (20) to five (5) days prior to any election, and all may vote by mail or in person except those persons defined as to eligibility in sub-section (e) of Section 3 who must vote by mail and in sub-section (g) of Section 3, who must vote in person before the register in chancery and must vote without assistance, unless an oath is made and a record is filled out as required by Section 107, Title 17, Code of Alabama, 1940, as amended, the same as provided to be done in elections where voting machines are used, and then assistance may be given only by the register in chancery who shall read and mark the ballot, and such voting with assistance may be observed by a person of the voter's own choosing provided he has not assisted any other person in casting an absentee ballot and provided, further, that he shall not in any manner suggest how the voter shall vote but shall only observe to see that the ballot is marked as the voter directs. The record of such assistance shall show the name of the voter, the reason assistance was required, and the name of the person chosen to observe the casting of the ballot. It shall be the duty of the register in chancery to see that no person observes the casting of more than one absentee ballot prior to any election.

Section 10. Persons placed on the list of absentee voters as eligible under sub-section (g), Section 3, shall be designated by the sub-section letter following the name on all lists. All persons who are confined to hospitals or who are disabled must apply for ballots to the register in chancery by mail and must receive and return ballots by mail, and in no other manner. All persons other than those eligible under sub-sections (e) and (g), Section 3, may vote by mail or in person.

Section 11. No less than 21 days prior to the holding of any election to which this article pertains, the officer charged with the printing and distribution of official ballots and election supplies shall cause to be delivered to the register in chancery of each county in which the election is held, or the person designated to serve in his stead, a sufficient number of the absentee ballots and the envelopes hereinafter provided for and other necessary election supplies. In the event the register is a candidate in the election, he shall, immediately upon receipt

of such ballots and envelopes and supplies, deliver the same to the person herein authorized to act in his stead.

Section 12. In any election to which this article pertains, when the register is a candidate for any office, he shall be disqualified from performing any of the duties in reference to the handling of absentee ballots which are herein imposed upon him. The register shall, at least thirty (30) days prior to the date of the election, certify his candidacy or that he is disqualified to serve or that he is otherwise prevented from serving to the presiding circuit judge of the county. Thereupon the judge shall appoint a person qualified by training and experience and who is a qualified elector of the county and who is not a candidate in the election to perform the duties of the register as prescribed by this article and designate the place or office where said duties shall be performed. Any person so appointed shall have all the powers, duties, and responsibilities of the register under this article and shall be designated and known as "the absentee election manager". Any person so appointed to serve as "absentee manager" is authorized and empowered to administer oaths under this article and shall be entitled to the same compensation provided for the performance of such duties in this article. Said person's duties shall terminate at the end of election day.

Section 13. In any municipal election that is held at a time different from a primary or general election, the duties with reference to the handling of absentee ballots which are required in this article to be performed by the register shall be performed by the clerk or other officer performing the duties of the clerk. In the event that the clerk or other officer performing the duties of the clerk is also a candidate in the election, the governing body of the city or town shall appoint a qualified elector of the city or town to perform such duties. Any such city or town official or employe or person shall have all the powers, duties and responsibilities of the register under this article and shall be entitled to the compensation provided for such register in this article.

Section 14. The official absentee ballot for any election to which this article pertains shall be in the same form as the official regular ballots for the election, except that they shall bear printed thereon the words "Official Absentee Ballot" and except that there shall be printed thereon one of the affidavit forms herein required. Further, each absentee ballot shall be in duplicate, the intent of this provision being that every absentee voter under this article shall submit two copies of his completed ballot, one original and one carbon.

Section 15. The form of the affidavit which shall be printed on the absentee ballots used in general and municipal elections shall be:

"State of Alabama
_____ County

"Before me, the undersigned authority, personally appeared _____ who is (made known) known to me and who, being first duly sworn, deposes and says: I am a bona fide resident and registered elector of Precinct (or Ward) — and District (or Box) — in the County of _____, State of Alabama. I have not voted in the election to be held on the ____ day of _____, 19____, and I am entitled to vote therein. I have applied to and been approved for absentee voting by the board of registrars due to the reason checked below:

- (a) ____ I am on training duty or active duty with military forces.
- (b) ____ I am the spouse of such person as listed in (a), residing with him at his post of duty.
- (c) ____ I am a student at a college or university outside the county.

- (d) — I am the spouse of such person as listed in (c), residing with him at such institution.
- (e) — I am confined to an institution or home due to physical disability.
- (f) — I am a veteran confined to a veterans hospital.
- (g) — I am regularly absent from the county in the performance of my regular duties connected with employment or am the spouse of such person accompanying him.
- (h) — I am a seaman, sailor, mariner or deep-sea saltwater fisherman.
- (i) — I am employed and residing outside the United States or reside with such a person;
 - I am or will be on special assignment outside my county of residence and employment or am accompanying or will accompany such person;
 - I am employed by the _____ (state or federal) government outside the county or am a member of the family of such person.
- (j) — I have within the last six months removed from this county to another county in Alabama.
 - I have within the last year removed to another state, and have not resided therein long enough to be allowed to register to vote.

Signature of Voter

Sworn to and subscribed before me this ____ day of _____, 19____. I certify that the affiant is known (or made known) to me to be the identical party he claims to be.

Signature of Official

Title of Official."

The form of affidavit to be used in primary elections shall be the same as above except that there shall be added to the oath above the signature of the voter, the following: "I am a member of the _____ Party and subscribe to all the conditions and qualifications laid down by that party's committee as a requisite for participation in the election."

Section 16. With each absentee ballot, there shall be furnished to the voter two gummed envelopes, printed in the upper lefthand corner thereof substantially as follows: "Absent Voter's Ballot _____ (Primary, General, Special or Municipal, as the case may be) Election to be held on the ____ day of _____, 19____. Name of Voter: _____, Elector of Precinct (or Ward) _____, District (or Box) _____, _____ County, State of Alabama." One of the envelopes shall have printed in the lower righthand corner thereof: "Original for County Election Officials". The other envelope shall have printed in the lower righthand corner thereof "carbon for Secretary of State".

Section 17. Whether voted in person or by mail, the absentee oath herein provided shall be executed and shall be signed and this shall be before the register in chancery by those voting in person, before the commanding officer or authority in charge who shall certify to such fact by persons in training or on duty with military forces, and the wives of such persons, before the authority in charge of a hospital, nursing home, rest home or sanitarium or a notary public by those eligible due to physical disability or being confined to a veterans hospital, and before a notary public or similar officer who is duly authorized to administer oaths or certify same by all others.

Section 18. The original of the ballot shall be sealed by the voter in the envelope marked "Original for County Election Officials"; the carbon copy, sealed by the voter in the envelope marked "Carbon Copy for Secretary of State"; both sealed envelopes shall be given or mailed to the register as hereinabove provided. At the close of each day the envelopes for the secretary of state shall be placed in a larger envelope by the register and mailed by registered mail on that day to the secretary of state, State Capitol, Montgomery, Alabama. The register shall retain the envelopes, marked "original for County Officials" securely in his possession until the day of election.

Section 19. The names of all persons transferred to the absentee voting list shall forthwith be removed from the list of voters of the precinct, ward, or district where they formerly voted and shall not appear on the list of such voting place on any election day when they are entitled to vote absentee, nor shall they be allowed to vote at such former voting place while their name remains on the absentee voting list. The board of registrars shall report, within 24 hours after approval, the names of all persons transferred to the absentee voting list to the register in chancery and to the authority charged with preparing the list of registered voters to be furnished election officials on election day and the latter shall remove from such lists, before they are sent to election officials on election day, the names of all persons qualified to vote absentee and shall not place such names on any list other than the absentee voting list until notified by the board of registrars that the name has been transferred from the absentee list and shall then place such name only on the list of the precinct, ward, district or box to which he is transferred by the board of registrars.

Section 20. For every primary, general, special or municipal election, there shall be appointed one manager and four clerks, named and notified as are other election officials under the general laws of the state, who shall meet at the regular time of closing of the polls on that day, in the office of the register in chancery for the purpose of receiving, counting and making a return on the ballots cast by absent voters. The returns from the absentee box shall be made as required by law for all other boxes. It shall be unlawful for any election official or other person to publish or make known to anyone the results of the count of absentee votes before the polls close, and it shall be unlawful for the absentee counting officials to allow any watcher or other person other than any clerks they may name to assist them to be present inside the office of the register in chancery during the counting of the absentee votes, or for them to otherwise reveal how any absentee voter cast his vote. It is provided, however, that in counties with population of 50,000 or more, there shall be appointed one manager and four clerks for each 200 absentee ballots, or fractions thereof of more than 100, cast at the election. In such counties, the appointing board for the election shall meet four days before the election, determine the number of officials to be appointed and notified, and appoint such additional officials.

Section 21. On the day of election, not later than the time set for closing the polls, the register shall deliver all ballots in sealed envelopes marked "Original for County Election Officials" to the election officials provided for in this article. In counties with populations of 50,000 or more, the register shall deliver, as nearly as may be, an equal number of ballots to each set of officials appointed to receive, count and return them.

Section 22. The packages of ballots mailed by the register to the secretary of state shall be retained by the secretary of state for one year in boxes for each county and then, unless requested as provided below, destroyed without being opened. The packages may be procured and opened, and the contents thereof used, in the event of an election con-

test, by the officials appointed to decide the contest upon written request to the secretary of state. In the event of a contest, the ballots procured from the secretary of state may be used in lieu of the original ballots cast at the election.

Section 23. The register shall each day post at the county courthouse on the regular bulletin or notice board, an accurate list of the names, and addresses, of persons voting absentee ballots on that day, and a copy shall be retained in his office. Three days before the holding of any election, he shall post at the courthouse, on the regular bulletin or notice board, a complete list of the names and addresses of all persons issued absentee ballots in the election and shall retain a copy in his office for one year, such copy to be for public inspection. No ballot shall be issued after five days before the election, but all ballots voted by mail and received by the time of the closing of the polls on election day shall be counted.

Section 24. The court of county commissioners, board of revenue or other governing body of the county shall determine the amount of compensation to be paid to the register for the performance of his duties in connection with absentee ballots during the 20 days prior to election to which the article applies and for his services on the day of election, but such compensation shall not exceed \$10 per day. The compensation hereby prescribed shall be the total compensation allowed the register for the performance of duties relative to absentee ballots in all elections held on the same day, and shall be paid from the county treasury, except in case of a municipal election held at a time different from a primary or general election, in which event payment shall be from the city or town treasury, provided, no municipal employe shall be compensated for his services in this regard.

Section 25. All necessary and proper expenses and costs incurred in the carrying out of the provisions of this article, for which no special provision is made herein, shall be paid for in the same manner as are necessary costs and expenses incurred in the several classes of elections enumerated hereunder.

Section 26. Any person who wilfully changes an absentee voter's ballot to such an extent that it does not reflect the voter's true ballot, or destroys an absentee voter's ballot, or otherwise violates this article upon conviction must be punished by hard labor for the county for not more than twelve (12) months or by a fine of not less than five hundred dollars (\$500) and not more than two thousand dollars (\$2,000), or by both fine and a sentence to hard labor. It shall be unlawful for any candidate or other person to aid or assist, or to tell or suggest the name of any candidate to any person when he or she is voting his or her absentee ballot before the register. Any person who wilfully aids or attempts to aid any person unlawfully to vote an absentee ballot and any person who knowingly unlawfully votes an absentee ballot, and any person who votes both an absentee and a regular ballot shall be similarly punished.

Section 27. As an aid to determine whether or not absentee voters have in fact also voted a regular ballot, at the end of the contest period the officials charged with custody of the records of the election shall remove from such records and turn over to the board of registrars the list of qualified voters furnished each polling place and marked to show who actually voted and the copies of challenged oaths from such records, and the registrars shall compare the absentee voting list with such records and shall make a written report to the next grand jury as to their findings. The board of registrars shall retain such records and a copy of its report for one year after the date of the holding of the election.

Section 28. This act shall not be cumulative and shall expressly repeal:

Act No. 424, 1949, Regular Session, page 601;
 Act No. 655, 1959, Regular Session, page 1585;
 Act No. 77, Extra Session, 1961, page 1954;
 Act No. 74, Extra Session, 1961, page 2134;
 Act No. 183, First Extra Session, 1964, page 250;
 Act No. 795, Regular Session, 1965, page 1494;
 Act No. 54, First Extra Session, 1965, page 72;
 Act No. 117, Second Extra Session, 1965, page 159;
 Act No. 176, Extra Session, 1967.

Section 29. This act shall become effective upon its passage and approval by the governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owen (Baldwin)
Adwell	Fine	Laxson	Pearson
Agee	Foshee	Lemley	Pennington
Bassett	Gafford	Lybrand	Perloff
Beck	Garrett	Lyons	Pruitt
Berryman (W)	Gloor	Manley	Robertson
Brannan	Graham	Marr	Sessions
Brassell	Grayson	Mathews	Slate
Brown	Hain	Mays	Smith
Burgess	Hardin	McCorquodale	Snell
Cameron	Harris	McDonald	Springer
Cherner	Haygood	McElhaney	Starnes
Collier	Headley	McLain	Steagall
Collins (W)	Hill	Meade	Stembridge
Cook (Jefferson)	Hobbie	Meeks	Waggoner
Crawford	Holman	Melton	Williams
Dobbs	House	Merrill	Wright
Doss	Jackson (F)	Money	Yeilding
Downing	Jackson (T)	Nettles	Young
Drake	Jones	Neville	

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Mr. Blanton offered the following amendment to the bill, H. 48, as thus amended:

In Section 3 (j) change the word "expire" to "expire".

In Section 4 wherever the word or figure "10" or "10th" appears, change it to "5" or "5th", and after the words "from the 20th to the 10th day before every" insert the word "countywide".

In Section 7 delete the words in the fifth sentence beginning with the words "but no names shall be added" continuing to the end of that sentence.

Add at the end of Section 21 the following: "As regards cities and towns with populations of less than 10,000 in case of municipal elections held at a time different from a primary or general election,

such ballots shall be delivered to the election officers of the precincts of the respective voters, provided, however, that the governing bodies of such municipalities may, at their discretion, require that ballots be counted as otherwise provided for in this Act."

In Section 22 and Section 23 change the words "one year" to "22 months".

At the end of Section 3(a) add the words "or any person on active duty for training in any branch of the military service including the National Guard and all organized reserves".

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Owen (Baldwin)
Adwell	Ellis	Laxson	Pearson
Agee	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Garrett	Manley	Sessions
Brannan	Gloor	Marr	Slate
Brassell	Graham	Mathews	Smith
Brown	Grayson	Mays	Snell
Burgess	Hain	McCorquodale	Springer
Burgreen	Harris	McDonald	Starnes
Cameron	Haygood	McElhaney	Steagall
Cherner	Headley	McLain	Stembridge
Collier	Hill	Meeke	Waggoner
Collins (W)	Hobbie	Melton	Watkins
Crawford	Holman	Merrill	Williams
Dobbs	Jackson (F)	Money	Yeilding
Doss	Jackson (T)	Nettles	Young
Downing	Jones	Neville	

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And the bill, H. 48, as thus amended:

To provide for casting of absentee ballots in primary, general, special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connection therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act no. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session, 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965; page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Burgess
Adwell	Beck	Brannan	Burgreen
Agee	Berryman (W)	Brassell	Cameron

Cherner	Hain	Marr	Perloff
Collier	Hardin	Mathews	Pruitt
Collins (C)	Harris	Mays	Robertson
Collins (W)	Haygood	McCorquodale	Sessions
Crawford	Headley	McDonald	Slate
Dobbs	Hill	McElhaney	Smith
Doss	Hobbie	McLain	Snell
Downing	Holman	Meade	Springer
Drake	House	Meeks	Starnes
Ellis	Jackson (F)	Melton	Steagall
Fine	Jackson (T)	Merrill	Stembridge
Foshee	Jones	Money	Tuck
Gafford	Kilgore	Nettles	Waggoner
Garrett	Laxson	Neville	Williams
Gloor	Lemley	Owen (Baldwin)	Wright
Graham	Lybrand	Owens (W)	Yeilding
Grainger	Lyons	Pearson	Young
Grayson	Manley	Pennington	

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bill hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:30 p. m. on August 19, 1969.

H. 1294

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Downing, the House adjourned until ten o'clock A. M. Wednesday, August 20, 1969.

Yeas 47; Nays 31.

Yeas:

Mr. Speaker	Drake	Lemley	Perloff
Adwell	Ellis	Lyons	Pruitt
Agee	Fine	Manley	Sessions
Beck	Gafford	Marr	Snell
Brassell	Grayson	Mathews	Starnes
Burgreen	Haygood	McCorquodale	Stembridge
Cameron	Headley	McDonald	Tuck
Collier	Hobbie	McElhaney	Watkins
Collins (W)	House	Meade	Williams
Cook (Jefferson)	Jackson (T)	Meeks	Wright
Dobbs	Kilgore	Neville	Young
Downing	Laxson	Pearson	

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Nays:

Messrs.:	Collins (C)	Hill	Merrill
Bank	Culver	Holman	Money
Bassett	Foshee	Jackson (F)	Nettles
Berryman (W)	Garrett	Jones	Owen (Baldwin)
Bolton	Graham	Lybrand	Owens (W)
Brown	Grainger	Mays	Pennington
Burgess	Hardin	McLain	Smith
Cherner	Harris	Melton	Springer

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REGULAR SESSION

2767

THIRTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 20, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend William E. Dudley, Associate Pastor, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Doss	Jackson (T)	Paulk
Adwell	Downing	Jones	Pearson
Agee	Drake	Kilgore	Pennington
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bolton	Garrett	Manley	Slate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Burgreen	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Haygood	Meeks	Turnham
Collins (C)	Headley	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hill	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Williams
Crane	Holladay	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Owens (W.E.)	Young
Dobbs			

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 733. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 728. To amend Act No. 168 (H. 270) Special Session of 1966 relating to the Alabama Historical Commission by increasing the Commission membership from eleven to fifteen persons.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 566. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

Also:

H. 567. To authorize municipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-second legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 135. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirty-third Legislative Day, taking precedence over any other business in the House for this day:

Report of Standing Committees

Introduction of Bills

Uncontested Local Bills

SB 70, Page 171

SB 278, Page 97

SB 499, Page 106

SB 461, Page 131

SB 751, Page 136

HB 1525, Page 150

HB 846, Page 71

HB 30, Page 86

HB 201, Page 19

HB 875, Page 67

HB 1171, Page 109

SB 322, Page 129

HB 1438, Page 123

HB 1238, Page 110

SB 725, Page 116

SB 190, Page 114

HB 637, Page 42

HB 638, Page 42

SB 619, Page 155

SB 604, Page 135

SB 605, Page 135

SB 606, Page 136

SB 607, Page 136

SB 724, Page 144

SB 507, Page 112

SB 508, Page 112

SB 509, Page 112

SB 223, Page 147

SB 242, Page 147

SB 153, Page 104

HB 844, Page 120

HB 89, Page 8

HB 59, Page 3

HB 1444,	Page 141
HB 334,	Page 23
HB 563,	Page 10
HB 147,	Page 2
HB 1272,	Page 99
SB 338,	Page 130
SB 339,	Page 115
HB 1492,	Page 140
SB 518,	Page 133
HB 526,	Page 23
HB 194,	Page 68
HB 148,	Page 35
HB 520,	Page 141
HB 1220,	Page 81
SB 419,	Page 130
SB 420,	Page 131
HB 356,	Page 74
HB 126,	Page 11
HB 609,	Page 34
HB 644,	Page 91
HB 32,	Page 59
HB 1234,	Page 99
SB 125,	Page 152
HB 17,	Page 9
HB 767,	Page 100
HB 298,	Page 6
HB 299,	Page 6
HB 300,	Page 6
HB 1188,	Page 85

On motion of Mr. Merrill, H. R. 135 was adopted.

Also:

By Mr. Fite:

H. J. R. 136. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That H. B. No. 91 be named the Turner, Snell, Cook (Jefferson), Cook (Coffee), Fite, Agee, Bank, Bassett, Beck, Berryman (W), Brannan, Brassell, Burgreen, Cameron, Collier, Crawford, Dill, Dobbs, Doss, Downing, Edington, Fine, Foshee, Garrett, Graham, Grainger, Grayson, Hardin, Haygood, Headley, Higginbotham, Hobbie, Holliday, Holman, Jackson (F), Kil-

gore, Laxson, Lemley, Malone, Mays, McCorquodale, McElhaney, McLain, Meade, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Pearson, Pennington, Robertson, Slate, Smith, Springer, Steagall, Stembridge, Tuck, Turnham, Williams, and Young bill.

On motion of Mr. Fite, the rules were suspended and H. J. R. 136 was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 861 (with amendment). Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 866. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

S. 869. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 674 (with amendment). To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 72. To amend Title 52, § 197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and

to be paid for leaves of absence due to sickness for not more than ninety days.

S. 71. To amend Title 52, § 136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absences due to sickness for not more than ninety days.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 204. Relating to the sale of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

S. 651. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

S. 769. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1552. To amend Section 4 of an act approved June 14, 1949, entitled "An Act to prescribe the duties of the County Superintendent of Education of counties having a population between 16,300 and 17,300; to provide compensation for the performance of such duties; and to authorize travel and expenses pertinent to the duties of said Superintendent."

H. 1553. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

H. 1555. To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

H. 1556. Relating to all counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, to authorize and provide for an additional expense allowance for the chairman and members of the county governing body.

H. 1562. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

H. 1563. Relating to the county governing bodies in counties having a population between 22,350 and 24,000.

H. 1564. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

H. 1567. To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

H. 1568. To change and expand and extend the corporate limits of the Town of Valley Head, DeKalb County, Alabama, and in words and figures substantially as follows:

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 705 (with amendment). Relating to Tuscaloosa County; to provide a chairman of the county governing body of such county; to prescribe his duties, powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 726. Relating to all counties having populations of not less than 18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

S. 822. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

S. 826. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

S. 832. To regulate the compensation of jurors in counties having populations of not less than 15,500 nor more than 16,300.

S. 833. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

S. 834. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

S. 835. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

S. 836. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

S. 837. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 841 (with substitute). Relating to law enforcement in all counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 852. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 853 (with amendment). To alter, rearrange and extend the boundary lines and corporate limits of the town of Detroit in Lamar County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 855. To alter and rearrange the boundary lines of the Town of Newsite, Alabama, so as to include within the corporate limits of the Town of Newsite, Alabama, all territory now within such corporate limits and also certain other territory.

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Police-men's and Firemen's Retirement fund an amount equal to ten (10%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to five (5%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

S. 863. To alter and rearrange the boundaries between the City of Gadsden and the City of Glencoe so as to detach certain territory from the City of Glencoe and annex the same to the City of Gadsden.

S. 864. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

S. 871. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; to authorize the county governing body of each such county to provide for the payment of certain expenses heretofore incurred by certain county officers of the county and to validate certain payments heretofore made by such county governing bodies.

S. 873. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

S. 879. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to appropriate certain funds for public buildings and furnishings.

S. 884. To repeal Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court.

S. 892. Relating to counties having populations of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; and providing for direct distribution to certain municipalities within such counties of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 825. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decen-

nial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

S. 859. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

S. 860. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

S. 867. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

S. 868. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 840. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

S. 843. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

S. 857. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 567. Proposing a constitutional amendment relative to the title and use of sixteenth section school lands lying within the corporate limits of the City of Mobile.

The above bill was read a second time at length as required by the Constitution.

Mr. Cook (Jefferson) Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 39 (with amendment). To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Mr. Ellis, Vice Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

MOTION TO RECONSIDER H. 1430

Having voted with the prevailing side in the passage of the bill, H. 1430, Mr. Meade moved to reconsider the vote by which it passed, and the motion was adopted.

On motion of Mr. Meade, the bill, H. 1430, was carried over to the thirty-fifth legislative day.

LEAVES OF ABSENCE

On motion of Mr. Gafford, leaves of absence were granted to Messrs. Kilgore and Crane due to illness.

BILLS ON THIRD READING

And the bill:

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Perloff
Bank	Ellis	Lyons	Pruitt
Bassett	Fine	Manley	Robertson
Beck	Foshee	Mathews	Sessions
Brannan	Garrett	Mays	Shumate
Brassell	Graham	McElhanev	Smith
Burgess	Grainger	McLain	Starnes
Burgreen	Grayson	Meade	Steagall
Collier	Hain	Melton	Stembridge
Collins (C)	Harris	Merrill	Stubbs
Cook (Coffee)	Higginbotham	Money	Tuck
Crawford	Hill	Nettles	Watkins
Culver	Hobbie	Neville	Williams
Dobbs	Jackson (F)	Owen (Baldwin)	Wright
Doss	Jackson (T)	Paulk	Yeilding
Downing	Jones	Pennington	Young
Drake	Laxson		

—66

S. 700 INDEFINITELY POSTPONED

On motion of Mr. Drake, the bill, S. 700, was indefinitely postponed.

S. 721 INDEFINITELY POSTPONED

On motion of Mr. Drake, the bill, S. 721, was indefinitely postponed.

And the bill:

H. 1475. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cherner	Fine	Holladay
Agee	Collier	Foshee	Jackson (F)
Bank	Collins (C)	Gafford	Jackson (T)
Bassett	Cook (Coffee)	Garrett	Jones
Beck	Crawford	Graham	Laxson
Brannan	Culver	Grainger	Lemley
Brassell	Downing	Hain	Lyons
Burgess	Edington	Higginbotham	Manley
Burgreen	Ellis	Hobbie	Mathews

Mays	Nettles	Perloff	Stembridge
McCorquodale	Neville	Pruitt	Stubbs
McElhaney	Owen (Baldwin)	Robertson	Tuck
Meade	Owens (W)	Sessions	Williams
Melton	Paulk	Starnes	Yeilding
Merrill	Pennington	Steagall	Young
Money			

—61

And the bill:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lyons	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Gafford	Mathews	Sessions
Blanton	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgreen	Hain	Meade	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Higginbotham	Money	Tuck
Collins (C)	Hobbie	Nettles	Watkins
Cook (Coffee)	Holladay	Neville	Williams
Crawford	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jackson (T)	Paulk	Yeilding
Dobbs	Jones	Pearson	Young
Downing			

—65

And the bill:

H. 1410. Relating to the Thirtieth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Jackson (F)
Agee	Cook (Coffee)	Graham	Jackson (T)
Bank	Crawford	Grainger	Jones
Beck	Culver	Grayson	Laxson
Blanton	Downing	Hain	Lemley
Brannan	Drake	Harris	Lyons
Brassell	Edington	Higginbotham	Manley
Burgreen	Ellis	Hobbie	Mathews
Cherner	Fine	Holladay	Mays
Collier	Foshee	House	McCorquodale

McElhaney	Owen (Baldwin)	Robertson	Stubbs
Meade	Paulk	Sessions	Tuck
Melton	Pearson	Smith	Williams
Money	Pennington	Starnes	Wright
Nettles	Perloff	Steagall	Yeilding
Neville	Pruitt	Stembridge	Young

—64

And the bill:

H. 1414. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Pearson
Agee	Fine	Lemley	Pennington
Beck	Foshee	Lyons	Perloff
Berryman (W)	Gafford	Manley	Pruitt
Blanton	Graham	Mathews	Robertson
Brannan	Grainger	Mays	Sessions
Brassell	Grayson	McElhaney	Smith
Burgreen	Hain	Meade	Starnes
Cherner	Harris	Melton	Steagall
Collier	Higginbotham	Money	Stubbs
Collins (C)	Hobbie	Nettles	Tuck
Crawford	House	Neville	Williams
Culver	Jackson (F)	Owen (Baldwin)	Wright
Downing	Jackson (T)	Owens (W)	Yeilding
Drake	Jones	Paulk	Young
Edington			

—61

And the bill:

S. 734. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Graham	Jones
Agee	Cook (Coffee)	Grainger	Laxson
Bank	Culver	Grayson	Lemley
Beck	Dobbs	Hain	Lyons
Berryman (W)	Downing	Harris	Manley
Blanton	Drake	Higginbotham	Mathews
Brannan	Edington	Hill	Mays
Brassell	Ellis	Hobbie	McCorquodale
Burgreen	Fine	House	McElhaney
Cherner	Foshee	Jackson (F)	Meade
Collier	Gafford	Jackson (T)	Melton

Merrill	Paulk	Smith	Williams
Money	Pearson	Starnes	Wood
Nettles	Pennington	Steagall	Wright
Neville	Perloff	Stembridge	Yeilding
Owen (Baldwin)	Pruitt	Stubbs	Young
Owens (W)	Robertson	Tuck	

—67

And the bill:

S. 735. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lyons	Pennington
Beck	Foshee	Manley	Perloff
Berryman (W)	Gafford	Mathews	Pruitt
Brassell	Graham	Mays	Robertson
Burgess	Grainger	McCorquodale	Sessions
Burgreen	Hain	McElhaney	Smith
Cherner	Harris	Meade	Starnes
Collier	Higginbotham	Melton	Steagall
Cook (Coffee)	Hill	Merrill	Stembridge
Crawford	Hobbie	Money	Stubbs
Culver	House	Nettles	Tuck
Dobbs	Jackson (F)	Neville	Wood
Downing	Jackson (T)	Owen (Baldwin)	Wright
Drake	Jones	Owens (W)	Yeilding

—64

And the bill:

S. 738. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Collier	Graham	Laxson
Agee	Cook (Coffee)	Grainger	Lemley
Bank	Crawford	Grayson	Lyons
Bassett	Culver	Hain	Manley
Beck	Dobbs	Harris	Mathews
Berryman (W)	Downing	Higginbotham	Mays
Blanton	Drake	Hill	McCorquodale
Brannan	Edington	Hobbie	McElhaney
Brassell	Ellis	House	Meade
Burgess	Fine	Jackson (F)	Melton
Burgreen	Foshee	Jackson (T)	Merrill
Cherner	Gafford	Jones	Money

Nettles	Pennington	Smith	Williams
Neville	Perloff	Starnes	Wood
Owen (Baldwin)	Pruitt	Steagall	Wright
Owens (W)	Robertson	Stembridge	Yeilding
Paulk	Sessions	Tuck	Young
Pearson	Shumate		

—70

And the bill:

S. 736. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Mathews	Sessions
Blanton	Graham	Mays	Shumate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McElhanev	Starnes
Burgess	Hain	Meade	Steagall
Burgreen	Harris	Melton	Stembridge
Cherner	Higginbotham	Merrill	Tuck
Collier	Hill	Money	Williams
Collins (C)	Hobbie	Nettles	Wood
Crawford	House	Neville	Wright
Culver	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Downing	Jones	Pearson	

—67

And the bill:

S. 737. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Ellis	Lyons	Pruitt
Bassett	Fine	Manley	Robertson
Berryman (W)	Foshee	Mathews	Sessions
Blanton	Gafford	Mays	Shumate
Brannan	Graham	Meade	Smith
Brassell	Grayson	Melton	Starnes
Burgess	Hain	Merrill	Steagall
Burgreen	Headley	Money	Stembridge
Cherner	Higginbotham	Nettles	Tuck
Collier	Hill	Neville	Williams
Collins (C)	House	Owen (Baldwin)	Wood
Crawford	Jackson (F)	Owens (W)	Yeilding
Culver	Jackson (T)	Paulk	Young
Dobbs	Jones		

—62

And the bill:

H. 1423. To amend Section 3 of Act No. 584, H. B. 795, Regular Session, 1963, Acts 1963, (P. 1278 et seq), an act relating to the establishment and operation of Regional Planning Commissions in the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Owen (Baldwin)
Agee	Fine	Jackson (T)	Owens (W)
Bank	Foshee	Jones	Paulk
Bassett	Gafford	Laxson	Pearson
Beck	Garrett	Lemley	Pennington
Berryman (W)	Graham	Lyons	Pruitt
Blanton	Grainger	Manley	Robertson
Brannan	Grayson	Mathews	Sessions
Burgess	Hain	Mays	Shumate
Burgreen	Harris	McElhaney	Smith
Cherner	Headley	Meade	Starnes
Collier	Higginbotham	Melton	Stembridge
Crawford	Hill	Merrill	Tuck
Culver	Hobbie	Money	Wood
Dobbs	Holladay	Nettles	Yeilding
Downing	House	Neville	Young
Drake			

—65

MOTION TO RECONSIDER S. 252

Having voted with the prevailing side by which the bill, S. 252, was passed, Mr. Downing moved to reconsider the vote, and the motion was adopted.

On motion of Mr. Downing, the bill, S. 252, was carried over to the thirty-fourth legislative day.

And the bill:

H. 1518. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

Was taken up.

Mr. Neville offered the following amendment to the bill, H. 1518:

Amend Section 2 to read as follows:

"Section 2. The commission created herein shall consist of eighteen members, who shall be bona fide residents and qualified voters of this state, of whom at least three must be residents of Barbour County, two must be residents of Russell County, two must be residents of Henry County, and two must be residents of Houston County. In addition, there shall be four non-voting advisory members, each of whom shall be a resident of a Georgia county which borders Alabama and touches the Chattahoochee River. The Governor shall appoint the original members and advisory members, and one-half shall be appointed for four year terms and one-half for eight year terms. After the appointment of the original members and advisory members, all members and ad-

visory members shall be appointed by the members for terms of eight years each.

All members and advisory members shall serve until their successors are appointed and qualified, but any member or advisory member may be removed by the Governor for just cause. Vacancies shall be filled by the remaining members. The first chairman of the commission shall be appointed by the Governor from among the original members for a term of one year. Thereafter, each succeeding chairman shall be elected as provided herein. Members of the commission shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of the commission."

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Agee	Ellis	Jones	Pennington
Bank	Fine	Laxson	Perloff
Bassett	Foshee	Lemley	Pruitt
Beck	Gafford	Lyons	Robertson
Berryman (W)	Graham	Manley	Sessions
Brannan	Grainger	Mathews	Shumate
Brassell	Grayson	Mays	Smith
Burgess	Hain	McElhaney	Starnes
Burgreen	Harris	Meade	Stembridge
Cherner	Headley	Melton	Tuck
Collier	Higginbotham	Merrill	Williams
Cook (Coffee)	Hill	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing	Jackson (F)	Paulk	

—67

And the bill, H. 1518, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bank	Ellis	Laxson	Pennington
Bassett	Fine	Lemley	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Garrett	Manley	Robertson
Brannan	Graham	Mathews	Sessions
Brassell	Grainger	Mays	Smith
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	Meade	Steagall
Cherner	Harris	Melton	Stembridge
Collier	Headley	Merrill	Tuck
Collins (C)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Hobbie	Neville	Wright
Dobbs	House	Owen (Baldwin)	Yeilding

—64

And the bill:

H. 1521 (with substitute). To provide specially for the ordering and conduct of elections to be held for the purpose of authorizing the levy within a single school tax district covering all the area of a county lying outside the corporate limits of any city having a population of 2,500 or more, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III; to provide that Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election; and to limit in certain respects the application of Section 268 of Title 52 of the Code of Alabama of 1940 to any such election.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide specially for the ordering and conduct of elections to be held for the purpose of authorizing the levy within a single school tax district covering all the area of a county lying outside the limits of any school tax district under the control of a city board of education, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III; to provide that Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election; and to limit in certain respects the application of Section 268 of Title 52 of the Code of Alabama of 1940 to any such election.

Be It Enacted by the Legislature of Alabama:

Section 1. An election may be held for the purpose of authorizing the creation of a single school tax district covering all the area of a county lying outside the limits of any school tax district under the control of a city board of education, and the levy within such new school tax district, at the maximum rate and for the maximum time permitted by law, of the special school tax authorized by Section 2 of Constitutional Amendment III, without regard to whether there exists, at the time such election is held, one or more school tax districts covering all or part of the area proposed to be covered by such new school tax district, and the provisions of Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election. Any such election shall be ordered and conducted in all respects as an election ordered pursuant to the provisions of Section 254 of Title 52 of said Code. It shall be unnecessary for the proceedings of the board of education or the governing body of the county with respect to any such election, or the notice of or the ballot used at any such election, to refer to or otherwise identify any school tax district existing, or any special district school tax authorized to be levied, within the area proposed to be covered by such proposed new school tax district at the time such election is held, if it is clearly indicated in such proceedings, notice, and ballot that all the area of such county lying outside the limits of any school tax district under the control of a city board of education is to be included in such proposed new school tax district. The form of ballot to be used at any such election shall be that provided for by Section 268 of Title 52 of said Code, except that, without regard to whether a favorable vote at such election would work a consolidation of existing school tax districts, it shall be unnecessary for such ballot

to refer to such consolidation. In the event a majority of the qualified electors voting in any such election shall approve the creation of such new school tax district and the levy of said tax therein, all school tax districts theretofore existing, and all special district school taxes theretofore authorized to be levied, in the area covered by such new school tax district shall, respectively, cease to exist and cease to be levied, and the said tax so approved shall be levied and collected in such new school tax district as a unit; provided, that nothing herein contained shall be construed to relieve the county board of education of the county in which such election is held of liability for obligations incurred prior to such election.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Manley	Pruitt
Bassett	Ellis	Mathews	Robertson
Beck	Fine	Mays	Sessions
Berryman (W)	Graham	McCorquodale	Shumate
Blanton	Grainger	McElhanev	Smith
Brannan	Grayson	Meade	Starnes
Brassell	Hain	Melton	Steagall
Burgess	Headley	Merrill	Stembridge
Burgreen	Higginbotham	Money	Tuck
Collier	Hill	Nettles	Williams
Collins (C)	Hobbie	Neville	Wood
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Wright
Crawford	Jackson (T)	Paulk	Yielding
Culver	Jones	Pearson	Young

—64

And the bill, H. 1521, as thus amended:

To provide specially for the ordering and conduct of elections to be held for the purpose of authorizing the levy within a single school tax district covering all the area of a county lying outside the limits of any school tax district under the control of a city board of education, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III; to provide that Sections 264 and 266 of Title 52 of the Code of Alabama of 1940 shall not apply to any such election; and to limit in certain respects the application of Section 268 of Title 52 of the Code of Alabama of 1940 to any such election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgreen	Culver
Agee	Blanton	Cherner	Dobbs
Bank	Brannan	Collier	Downing
Bassett	Brassell	Collins (C)	Ellis
Beck	Burgess	Crawford	Fine

Foshee	Jackson (T)	Money	Shumate
Graham	Jones	Nettles	Starnes
Grainger	Laxson	Neville	Steagall
Hain	Lemley	Owen (Baldwin)	Stembridge
Harris	Manley	Paulk	Tuck
Headley	Mathews	Pearson	Williams
Higginbotham	Mays	Pennington	Wood
Hill	McElhaney	Perloff	Wright
Hobbie	Meade	Pruitt	Yeilding
Holladay	Melton	Robertson	Young
House	Merrill	Sessions	

—63

And the bill:

H. 1526. To fix the compensation of deputy district attorneys of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Jackson (T)	Pennington
Bank	Ellis	Jones	Perloff
Bassett	Fine	Laxson	Pruitt
Beck	Foshee	Lemley	Robertson
Berryman (W)	Gafford	Manley	Shumate
Blanton	Graham	Mays	Smith
Brannan	Grainger	McElhaney	Starnes
Brassell	Grayson	Meade	Steagall
Burgreen	Hain	Melton	Stembridge
Cherner	Harris	Merrill	Tuck
Collier	Headley	Money	Williams
Collins (C)	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dobbs	House	Paulk	Young

—64

And the bill:

H. 1527. Relating to the eleventh judicial circuit; to provide further for the compensation of the judges and the district attorney of such circuit; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Brannan	Crawford	Graham
Agee	Brassell	Dobbs	Grainger
Bank	Burgess	Downing	Grayson
Bassett	Burgreen	Drake	Hain
Beck	Cherner	Fine	Harris
Berryman (W)	Collier	Foshee	Haygood
Blanton	Collins (C)	Gafford	Headley

Higginbotham	Manley	Owen (Baldwin)	Smith
Hill	Mays	Paulk	Starnes
Holladay	McElhaney	Pearson	Steagall
House	Meade	Pennington	Stembridge
Jackson (F)	Melton	Perloff	Tuck
Jones	Merrill	Pruitt	Wood
Laxson	Money	Robertson	Wright
Lemley	Nettles	Sessions	Yeilding
Lyons	Neville	Shumate	Young

—64

And the bill:

H. 1528. Relating to the eleventh judicial circuit; to provide additional compensation for official court reporters of such circuit; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Laxson	Pennington
Bank	Edington	Lemley	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Manley	Robertson
Berryman (W)	Gafford	Mathews	Sessions
Blanton	Graham	Mays	Shumate
Brannan	Grainger	McElhaney	Springer
Brassell	Grayson	Meade	Starnes
Burgess	Hain	Melton	Steagall
Burgreen	Haygood	Merrill	Stembridge
Cherner	Headley	Money	Tuck
Collier	Higginbotham	Nettles	Wood
Collins (C)	Hill	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Paulk	Young
Dobbs	Jackson (T)		

—66

And the bill:

H. 1535. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire for the office of Probate of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dobbs	Grainger
Agee	Burgess	Downing	Grayson
Bank	Burgreen	Drake	Hain
Bassett	Cherner	Edington	Haygood
Beck	Collier	Fine	Headley
Berryman (W)	Collins (C)	Foshee	Higginbotham
Blanton	Crawford	Gafford	Hill
Brannan	Culver	Graham	Holladay

House	McElhaney	Pearson	Starnes
Jackson (F)	Meade	Pennington	Steagall
Jones	Melton	Perloff	Stembridge
Laxson	Merrill	Pruitt	Tuck
Lemley	Money	Robertson	Wood
Lyons	Nettles	Sessions	Wright
Manley	Neville	Shumate	Yeilding
Mathews	Owen (Baldwin)	Springer	Young
Mays	Paulk		

—66

And the bill:

H. 1288. Relating to counties having a population of not less than 42,000 nor more than 46,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Fine	Lyons	Perloff
Bassett	Foshee	Manley	Pruitt
Beck	Gafford	Mathews	Robertson
Berryman (W)	Graham	Mays	Sessions
Blanton	Grainger	McElhaney	Shumate
Brannan	Grayson	McLain	Springer
Brassell	Hain	Meade	Starnes
Burgreen	Haygood	Melton	Steagall
Cherner	Higginbotham	Merrill	Stembridge
Collier	Hill	Money	Tuck
Cook (Coffee)	Holladay	Nettles	Wood
Crawford	House	Neville	Wright
Culver	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jones	Paulk	Young
Downing			

—65

UNANIMOUS CONSENT GRANTED

At the request of Mr. Lemley, unanimous consent was granted that the Journal show had he voted on the bill, H. 1410, he would have voted Nay, and that he was not in the House chamber at the time of voting.

And the bill:

H. 1434 (with substitute). Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 31,000 nor

more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to any county having a population of not less than 31,000 nor more than 32,000 according to the most recent federal decennial census.

Section 2. The boundary lines and corporate limits of any town within such county which presently includes within its territory the following described lands in such county:

Beginning at the point where the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, T4N,R23E intersects the south right-of-way line of the Atlantic Coast Line Railroad and running thence south along the West line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 to the North line of Section 22; T4N,R23E thence running south along the west line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22 to the SW corner thereof; thence running West along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 22 to the SW corner thereof; thence continuing West along the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21 T4N,R23E to the East side of CLAYBANK CREEK; thence running southerly along the East side of said Claybank Creek to the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 27, T4N,R23E; thence running East along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 27, T4N,R23E to the West line of Cairns Airfield Property; thence running NOO-53°E along the West line of said Cairns Airfield Property to the Northwest corner thereof; thence running Easterly along the North line of said Cairns Airfield Property to the East line of the W $\frac{1}{2}$ of Section 26, T4N,R23E; thence running North along the said East line of the W $\frac{1}{2}$ of Section 26 to the NE corner thereof; thence running East along the North line of Section 26 to the SE corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, T4N,R23E; thence running North along the East line of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 23, T4N,R23E to the NE corner thereof; thence running East along the north side of E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 23 to the NE corner thereof; thence running North along the East line of said Section 23 to the South side of Ala. State Hwy No. 134; thence running Easterly along the south side of said Ala. State Hwy No. 134 to its intersection with the north line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24; T4N,R23E thence running East along the North line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the NE corner thereof; thence running south along the East line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24 to the SE corner thereof; thence running East along the North line of the SE $\frac{1}{4}$ of Section 24 to the NE corner thereof; thence continuing East along the South side of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, T4N4R24E to the SE corner thereof; thence running North along the East line of said W $\frac{1}{2}$ of the NW $\frac{1}{4}$ to the NE corner thereof; thence continuing north along the East side of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 18 T4N,R24E to the south right-of-way of the Atlantic Coast Line Railroad; thence running westerly along the South right-of-way line of the Atlantic Coast Line Railroad to the point of beginning and being in Dale County, Alabama less and except the following parcels contained therein; S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 14, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, and E $\frac{1}{2}$ of W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 22, NW $\frac{1}{4}$ of Section 23 lying West of Ala. State Hwy No. 85 except that part lying adjacent to said Hwy No. 85 that has been subdivided; N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27, and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 lying North of Ala. State Hwy 134; the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, T4N,R23E, Dale County, Alabama,

are hereby altered, extended, and rearranged so as to include within the corporate limits of such town, the following described territory:

Parcel No. 1

Commencing at the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, T4N, R24E; thence eastward along the forty line to the NE corner of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 19; thence south along the section line to the SE corner of the NE $\frac{1}{4}$ of Section 19; thence eastward to the centerline of the Choctawhatchee River; thence southward along the centerline of the Choctawhatchee River to a point where the centerline of said River intersects the south line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T4N, R24E; thence westward along the quarter line to the SW corner of the NE $\frac{1}{4}$ of Section 30; thence north along the forty line to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30; thence westward along the forty line to the SW corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30; thence northward along the section line to the SW corner of the NW $\frac{1}{4}$ of Section 19; thence eastward along the quarter line to the SW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19; thence north along the forty line to the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, T4N, R23E, said point being the point of beginning.

Parcel No. 2

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, T4N, R23E and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T4N, R23E lying north of Alabama State Highway 134.

Parcel No. 3

Commencing at the SE corner of the NE $\frac{1}{4}$ of Section 23, T4N, R23E; thence southward along the section line to the SE corner of the NE $\frac{1}{4}$ of Section 26; thence west along the quarter line to the SW corner of the NE $\frac{1}{4}$ of Section 26; thence north along the quarter line to the NW corner of the NE $\frac{1}{4}$ of Section 26; thence eastward along the section line to the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26; thence north along the forty line to the NW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23; thence east along the quarter line to the SE corner of the NE $\frac{1}{4}$ of Section 23, T4N, R23E, said point being the point of beginning.

Parcel No. 4

Commencing at the SE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T4N, R23E; thence south along the forty line to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34; thence westward along the section line to the centerline of Claybank Creek; thence northward along the centerline of Claybank Creek to a point where the centerline of said Creek intersects the north line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, T4N, R23E; thence eastward along the forty line to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T4N, R23E, said point being the point of beginning.

Parcel No. 5

Commencing at the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T4N, R23E; thence west along the forty line to the centerline of Claybank Creek; thence north along the centerline of Claybank Creek to a point where said centerline intersects the south right-of-way line of the Atlantic Coast Line Railroad; thence eastward along the south right-of-way line of said Railroad to a point where the south right-of-way line intersects the west line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, T4N, R23E; thence south along the forty line to the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T4N, R23E, said point being the point of beginning.

PARCEL 6

Commencing at the NE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E, and running thence

S 85° 48'W a distance of 488 feet to the point of beginning. Thence N 70° 45'W a distance of 125.0 feet; thence S 19° 15'W a distance of 200.0 feet to a point on the North right of way line of Alabama Highway No. 134; thence S 70° 45'E along said north right of way a distance of 125.0 feet; thence N 19° 15'E a distance of 200 feet to the point of beginning. Said property being in and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E, and containing 0.57 acres, more or less.

PARCEL 7

Commencing at the Northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23 Township 4 North, Range 23 East, thence go S 41° 15' 16" W 574.43 feet to the intersection of a fence line with the South R.O.W. of Alabama Highway No. 134 said intersection being the Point of Beginning; thence S 29° 29' 30" W along said fence line a distance of 317.71 feet; to the North R.O.W. of a power line, thence along said North R.O.W. N 82° 35' 30" W a distance of 86.15 feet thence S 82° 40' 30" W a distance of 570 feet; thence N 16° 56' 10"E a distance of 406.29 feet to the South R.O.W. line of Alabama Highway No. 134, thence along the said South R.O.W. S 85° 34' E a distance of 605.73 feet; thence S 87° 29'E a distance of 85.0 feet to the Point of Beginning. Said lands containing 5 acres and lying in and being a part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E.

PARCEL 8

Beginning at the Northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E, and running thence S 41°-15'-16"W, 574.43 feet, thence running N 87°-29'W, 85 feet; thence running N 85°-34'W, 605.73 feet to the Starting Point; thence run S 16°-56'W, 180 feet; thence running N 83°-47'W, 160 feet; thence running N 16°-56'E, 180 feet to the southerly right-of-way line of Ala. State Hwy No. 134; thence running S 83°-47'E, along the southerly right-of-way line of said Ala. State Hwy No. 134 a distance of 160 feet to the Point of Beginning and being in said Forty and containing 0.650 acres.

PARCEL 9

Commencing at the NE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E, and running thence S 85°-48' W, a distance of 488 feet; thence N 19°-15'E a distance of 10 feet; thence S 68°-21'E a distance of 100 feet to the point of beginning. Thence continuing S 68°-21'E a distance of 82.0 feet; thence S 19°-15'W a distance of 205.0 feet to a point on the North right-of-way line of Alabama Highway No. 134; thence N 71°-22'W along said North right of way line a distance of 82.0 feet; thence N 19°-15'E a distance of 210 feet to the point of beginning. Said property being in and a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, T4N, R23E, and containing 0.20 acres, more or less.

PARCEL 10

Commencing at the Northeast corner of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 23, Twp. 4 N., Range 23 E, and running thence South 85°-48' West a distance of 488 feet to the POINT OF BEGINNING; thence South 19°-15' West a distance of 200 feet to the North right of way line of Alabama Highway No. 134; thence East along said right of way line a distance of 100 feet; thence North 19°-15' East a distance of 210 feet; thence

North 68°-21' West a distance of 100 feet; thence South 19°-15' West a distance of 10 feet to the Point of Beginning, said lot being in and a portion of SE¼ of NW¼, Section 23, Twp. 4 N, Range 23 East, and containing 0.46 acres, more or less.

PARCEL 11

Commence at the Northeast corner of the SE¼ of NW¼ of Section 23, T4N, R23E, Dale County, Alabama; thence go South 62°-53'W a distance of 655.07 feet to the North right of way of Alabama Highway 134 said point being the Point of Beginning; thence North 85°-34'W along said North right of way a distance of 250.00 feet; thence North 4°-26'E a distance of 348.48 feet; thence South 85°-34'E a distance of 250.00 feet; thence South 4°-26'W a distance of 348.48 feet to the Point of Beginning; said land lying in and being part of SE¼ of NW¼ of said Section 23, T4N, R23E, and containing 2.0 acres.

Parcel No. 12

Commencing at the Northeast corner of the SE¼ of the NW¼ of Section 23, Township 4 North, Range 23 East, City of Daleville, Dale County, Alabama, thence go S 41°-15'-16" W 574.43 feet to the intersection of a fence line with the South R.O.W. of Alabama Highway No. 134 said intersection being the Point of Beginning; thence S 29°-29'-30" W along said fence line a distance of 317.71 feet; to the North R.O.W. of a power line, thence along said North R.O.W. N 82°-35'-30" W a distance of 86.15 feet thence S 82°-40'-30" W a distance of 570 feet; thence N 18°-56'-10"E a distance of 408.29 feet to the South R.O.W. line of Alabama Highway No. 134, thence along the said South R.O.W. S 85°-34'E a distance of 605.73 feet; thence S 87°-29'E a distance of 85.0 feet to the Point of Beginning. Said lands containing 5 acres and lying in and being a part of the SE¼ of the NW¼ of Section 23, T4N, R23E.

Section 3. The substantive provisions of this Act shall become operative only if the Act is approved by a majority of the qualified electors residing within that part of the territory hereinabove described which is not presently included within the corporate limits of the town whose boundaries are hereby extended and the qualified electors residing within such town and also owning property within the area to be hereby annexed, voting in a referendum election to be held on a day designated by the mayor of such town, not less than 10 nor more than 30 days from the date of this enactment. Notice of the election shall be given by publication of such notice in one issue of a newspaper of general publication in such town. The question shall be on the adoption of Act No. _____ of the 1969 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the town. The town shall provide the place of election and ballots therefor on which shall be written or printed the words "Do you favor the adoption of Act No. _____ of the 1969 Regular Session of the Legislature which alters, rearranges, and extends the corporate limits of the town of _____?" If the voter desires to vote for the adoption of said Act such voter shall write on the ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written on his ballot. The town whose boundaries are extended by this Act shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

The town clerk shall file a certificate on the result of the election with the secretary of state.

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Downing	Hobbie	Owen (Baldwin)
Agee	Drake	Jackson (F)	Paulk
Bank	Edington	Jackson (T)	Pearson
Beck	Ellis	Jones	Perloff
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Foshee	Lyons	Robertson
Brannan	Gafford	Manley	Shumate
Brassell	Garrett	Mathews	Smith
Burgess	Graham	Mays	Starnes
Cameron	Grainger	McLain	Steagall
Cherner	Grayson	Meade	Stembridge
Collier	Hain	Melton	Tuck
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Yeilding
Culver	Hill	Neville	Young
Dobbs			

—65

And the bill, H. 1434, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	Hill	Neville
Agee	Drake	Hobbie	Owen (Baldwin)
Bank	Edington	Jones	Paulk
Beck	Ellis	Laxson	Pearson
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Foshee	Lyons	Shumate
Brannan	Gafford	Mathews	Smith
Brassell	Garrett	Mays	Starnes
Burgess	Graham	McElhane	Steagall
Cherner	Grainger	McLain	Tuck
Collier	Grayson	Meade	Williams
Cook (Coffee)	Hain	Melton	Wood
Crawford	Harris	Merrill	Yeilding
Culver	Haygood	Money	Young
Dobbs	Higginbotham	Nettles	

—59

And the bill:

S. 757. To amend Section 12 of Act No. 211, S. 107, Regular Session 1945 (Acts 1945, p. 330 at p. 334), an Act relating to the construction, maintenance and operation of public hospitals, health centers and related facilities, so as to provide for the leasing of such public hospitals, health centers and related facilities.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Burgess
Agee	Beck	Brannan	Cherner
Bank	Berryman (W)	Brassell	Collier

Collins (W)	Grainger	Mays	Pruitt
Cook (Coffee)	Grayson	McElhaney	Robertson
Crawford	Hain	Meade	Sessions
Culver	Harris	Melton	Shumate
Dobbs	Haygood	Merrill	Smith
Downing	Higginbotham	Money	Starnes
Drake	Hill	Nettles	Steagall
Edington	Hobbie	Neville	Tuck
Ellis	Jackson (F)	Owen (Baldwin)	Turnham
Fine	Jackson (T)	Paulk	Williams
Foshee	Jones	Pearson	Wood
Gafford	Laxson	Pennington	Yeilding
Gloor	Lemley	Perloff	Young
Graham	Lemley		

—66

And the bill:

H. 1537. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Paulk
Agee	Dobbs	Jones	Pennington
Bank	Downing	Laxson	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (W)	Ellis	Lyons	Robertson
Blanton	Fine	Manley	Sessions
Brannan	Foshee	McCorquodale	Shumate
Brassell	Gafford	McElhaney	Starnes
Brown	Graham	Meade	Steagall
Burgess	Hain	Melton	Tuck
Burgreen	Harris	Merrill	Turnham
Cherner	Headley	Money	Williams
Collier	Higginbotham	Nettles	Wood
Collins (W)	Hobbie	Neville	Yeilding
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Young
Crawford			

—61

And the bill:

H. 1539. To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cherner	Graham	Manley	Pruitt
Collier	Hain	Mays	Robertson
Cook (Coffee)	Haygood	McCorquodale	Sessions
Crawford	Higginbotham	Meade	Shumate
Culver	Hill	Melton	Smith
Dobbs	Hobbie	Merrill	Starnes
Downing	Jackson (F)	Money	Stembridge
Drake	Jackson (T)	Neville	Tuck
Edington	Jones	Owen (Baldwin)	Turnham
Ellis	Laxson	Paulk	Wood
Fine	Lemley	Pearson	Yeilding
Foshee	Lyons	Pennington	Young
Gafford			

—61

And the bill:

H. 1540. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Agee	Downing	Jones	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Manley	Sessions
Berryman (W)	Fine	Mathews	Shumate
Blanton	Foshee	Mays	Smith
Brannan	Gafford	McCorquodale	Springer
Brassell	Graham	McElhaney	Starnes
Brown	Grayson	Meade	Steagall
Burgess	Hain	Melton	Stembridge
Burgreen	Harris	Merrill	Tuck
Cherner	Haygood	Money	Turnham
Collier	Headley	Nettles	Williams
Collins (W)	Higginbotham	Neville	Wood
Cook (Coffee)	Hill	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Paulk	Young
Culver			

—69

And the bill:

H. 1542. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Agee	Drake	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Malone	Robertson
Beck	Fine	Manley	Sessions
Berryman (W)	Foshee	Mathews	Shumate
Blanton	Gafford	Mays	Springer
Brannan	Graham	McElhaney	Starnes
Brassell	Grainger	Meade	Steagall
Brown	Grayson	Melton	Stembridge
Burgess	Hain	Merrill	Tuck
Burgreen	Harris	Money	Turnham
Cherner	Haygood	Nettles	Williams
Collier	Higginbotham	Neville	Wood
Collins (W)	Hill	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Paulk	Young
Culver	Jackson (T)		

—66

And the bill:

H. 1543. To provide for meetings of boards of registrars and for files of registered voters in counties of not less than 50,000 nor more than 54,000 population according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Malone	Robertson
Beck	Fine	Manley	Sessions
Berryman (W)	Foshee	Mathews	Shumate
Blanton	Gafford	Mays	Smith
Brannan	Graham	McCorquodale	Springer
Brassell	Grainger	McElhaney	Starnes
Brown	Grayson	Meade	Steagall
Burgess	Hain	Melton	Stembridge
Burgreen	Harris	Merrill	Tuck
Cherner	Haygood	Money	Turnham
Collier	Higginbotham	Nettles	Williams
Collins (W)	Hill	Neville	Wood
Culver	Jackson (F)	Owen (Baldwin)	Yeilding
Dobbs	Jackson (T)	Paulk	Young

—68

And the bill:

H. 1545. Relating to all counties having populations of not less than 12,500 nor more than 13,500 according to the most recent federal decennial census; providing further for certain fees allowed to judges of probate.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pearson
Agee	Ellis	Laxson	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Lyons	Sessions
Berryman (W)	Gafford	Manley	Shumate
Blanton	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	McElhaney	Starnes
Burgreen	Hain	Meade	Steagall
Cherner	Harris	Melton	Tuck
Collier	Haygood	Merrill	Turnham
Collins (C)	Headley	Money	Williams
Collins (W)	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Paulk	Young
Drake			

—65

And the bill:

H. 1548. Relating to the eleventh judicial circuit; to provide further for the supplemental compensation of circuit judges in such circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lyons	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Gafford	Marr	Sessions
Berryman (W)	Garrett	Mathews	Shumate
Blanton	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	McElhaney	Starnes
Burgess	Hain	Meade	Steagall
Burgreen	Harris	Melton	Tuck
Cherner	Haygood	Merrill	Turnham
Collier	Higginbotham	Money	Williams
Collins (C)	Hill	Nettles	Wood
Collins (W)	Jackson (F)	Neville	Wright
Culver	Jackson (T)	Owen (Baldwin)	Yeilding
Dobbs	Jones	Paulk	Young
Downing			

—69

And the bill:

H. 1549. To provide further for the supplemental compensation of the district attorney of the eleventh judicial circuit; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Jones	Pearson
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Manley	Smith
Brannan	Gafford	Mathews	Springer
Brassell	Garrett	Mays	Starnes
Burgess	Graham	McCorquodale	Steagall
Burgreen	Grainger	McElhaney	Tuck
Cherner	Grayson	Meade	Turnham
Collier	Hain	Melton	Williams
Collins (W)	Harris	Merrill	Wood
Crawford	Haygood	Money	Wright
Culver	Higginbotham	Nettles	Yeilding
Dill	Hill	Neville	Young
Dobbs	Jackson (F)	Owen (Baldwin)	

—67

And the bill:

S. 744. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Paulk
Bank	Drake	Jackson (T)	Pearson
Bassett	Edington	Jones	Perloff
Beck	Ellis	Laxson	Pruitt
Berryman (W)	Fine	Lemley	Sessions
Blanton	Foshee	Lyons	Smith
Brannan	Gafford	Manley	Springer
Brassell	Gloor	Mathews	Starnes
Burgess	Graham	Mays	Steagall
Burgreen	Grainger	McCorquodale	Tuck
Cherner	Grayson	McElhaney	Turnham
Collier	Hain	Meade	Williams
Collins (W)	Harris	Melton	Wood
Crawford	Haygood	Money	Wright
Culver	Higginbotham	Nettles	Yeilding
Dill	Hill	Neville	

—67

And the bill:

S. 798. To regulate further the method of summoning jurors in Marshall County; providing for summoning jurors either by registered or certified mail or personal service by the sheriff of the county.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Beck	Burgess	Collins (C)
Agee	Blanton	Burgreen	Collins (W)
Bank	Brannan	Cherner	Crawford
Bassett	Brassell	Collier	Culver

Dill	Harris	Mathews	Perloff
Dobbs	Haygood	Mays	Pruitt
Downing	Headley	McCorquodale	Sessions
Edington	Higginbotham	McElhaney	Smith
Ellis	Hill	Meade	Springer
Fine	House	Melton	Starnes
Foshee	Jackson (F)	Money	Tuck
Gafford	Jackson (T)	Nettles	Turnham
Gloor	Jones	Neville	Williams
Graham	Laxson	Owen (Baldwin)	Wood
Grainger	Lemley	Paulk	Wright
Grayson	Lyons	Pearson	Yeilding
Hain	Manley		

—66

And the bill:

S. 800. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff and his deputies and other employees and providing for the manner of their payment; authorizing the appointment of additional deputies; and repealing conflicting laws, specifically Act No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119).

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Paulk
Bank	Downing	Jackson (F)	Pearson
Bassett	Drake	Jackson (T)	Perloff
Beck	Edington	Jones	Pruitt
Blanton	Ellis	Laxson	Robertson
Brannan	Fine	Lemley	Sessions
Brassell	Foshee	Lyons	Smith
Burgess	Gafford	Manley	Springer
Burgreen	Gloor	Mathews	Starnes
Cherner	Graham	McCorquodale	Tuck
Collier	Grainger	McElhaney	Turnham
Collins (C)	Grayson	Meade	Williams
Collins (W)	Hain	Melton	Wood
Cook (Coffee)	Harris	Money	Wright
Crawford	Haygood	Nettles	Yeilding
Culver	Higginbotham	Neville	Young
Dill	Hill	Owen (Baldwin)	

—67

And the bill:

S. 801. To provide that witnesses may be subpoenaed by registered or certified mail in Marshall County under certain conditions.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Downing
Agee	Brassell	Cook (Coffee)	Edington
Bank	Brown	Crawford	Ellis
Bassett	Burgess	Culver	Fine
Beck	Collier	Dill	Foshee
Blanton	Collins (C)	Dobbs	Gafford

Gloor	Jackson (F)	Melton	Smith
Graham	Jackson (T)	Merrill	Springer
Grainger	Jones	Money	Starnes
Grayson	Laxson	Nettles	Steagall
Hain	Lemley	Neville	Stubbs
Harris	Lyons	Owen (Baldwin)	Tuck
Haygood	Manley	Paulk	Turnham
Headley	Mays	Pearson	Williams
Higginbotham	McCorquodale	Perloff	Wood
Hill	McElhaney	Robertson	Wright
House	Meade	Sessions	Yeilding

—68

And the bill:

H. 1536. To provide retirement allowances for certain elected officers and former elected officials in all counties of the state having a population of more than 500,000 according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 5.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Agee	Downing	Jones	Perloff
Bank	Edgington	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Beck	Fine	Lyons	Sessions
Blanton	Foshee	Manley	Smith
Brannan	Graham	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McElhaney	Stembridge
Burgess	Hain	Meade	Stubbs
Collier	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Watkins
Cook (Coffee)	Higginbotham	Nettles	Williams
Crawford	Hill	Neville	Wood
Culver	Hobbie	Owen (Baldwin)	Wright
Dill	House	Paulk	

—67

Nays:

Messrs.:	Gafford	Jackson (T)	Yeilding
Cherner	Gloor		

—5

And the bill:

H. 1541. To amend Act No. 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker	Downing	Holladay	Owen (Baldwin)
Agee	Edington	House	Paulk
Bassett	Ellis	Jackson (F)	Pearson
Beck	Fine	Jones	Perloff
Blanton	Foshee	Lemley	Pruitt
Brannan	Gloor	Lyons	Sessions
Brassell	Graham	Manley	Springer
Burgess	Grainger	Mays	Starnes
Collier	Hain	McCorquodale	Stembridge
Collins (C)	Harris	McElhaney	Stubbs
Collins (W)	Haygood	Meade	Tuck
Cook (Coffee)	Headley	Melton	Williams
Crawford	Higginbotham	Money	Wood
Dill	Hill	Nettles	Wright
Dobbs	Hobbie	Neville	Yeilding

—60

Nays: Messrs. Cherner and Gafford

—2

And the bill:

H. 1511. To provide retirement allowances for elected officials and former elected officials in all municipalities of the State located in a county, which county has population of 600,000 or more according to the last and any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 4.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Agee	Edington	Jones	Pearson
Bank	Ellis	Lemley	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Manley	Pruitt
Blanton	Graham	Mathews	Sessions
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McElhaney	Stembridge
Burgess	Harris	Meade	Stubbs
Collier	Haygood	Melton	Tuck
Collins (C)	Headley	Merrill	Turnham
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wood
Crawford	Hobbie	Neville	Wright
Dobbs	House	Owen (Baldwin)	Yeilding
Downing			

—65

Nays:

Messrs.:	Dill	Gafford	Gloor
Cherner			

—4

And the bill:

H. 1532. To further amend Section 5 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (General Acts of Alabama of 1945, page 376, et seq.) entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future federal

census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Owen (Baldwin)
Agee	Downing	House	Paulk
Bassett	Drake	Jackson (F)	Pearson
Beck	Edington	Jones	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Foshee	Lyons	Pruitt
Brannan	Gloor	Manley	Sessions
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McElhaney	Stembridge
Cherner	Hain	Meade	Stubbs
Collier	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Headley	Money	Wood
Cook (Coffee)	Higginbotham	Nettles	Wright
Crawford	Hill	Neville	Yeilding
Dill			

—65

Nay: Mr. Gafford

—1

And the bill:

H. 1533. Proposing an amendment to the Constitution of Alabama relating to authorizing the City of Birmingham to alienate or lease any public park or playground or any part or portion thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 2.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Fine
Agee	Brassell	Crawford	Foshee
Bank	Burgess	Dill	Gloor
Bassett	Cherner	Dobbs	Graham
Beck	Collier	Downing	Grainger
Berryman (W)	Collins (C)	Edington	Grayson
Blanton	Collins (W)	Ellis	Hain

Haygood	Mathews	Neville	Springer
Higginbotham	Mays	Owen (Baldwin)	Stembridge
Hobbie	McCorquodale	Paulk	Stubbs
House	McElhaney	Pearson	Tuck
Jackson (F)	Meade	Pennington	Turnham
Jones	Melton	Perloff	Williams
Lemley	Merrill	Pruitt	Wood
Lyons	Money	Robertson	Wright
Manley	Nettles	Sessions	Yeilding

—64

Nays: Messrs. Gafford and Jackson (T)

—2

And the bill:

H. 1547. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Edington	Jackson (T)	Paulk
Bank	Ellis	Jones	Pearson
Bassett	Fine	Laxson	Pennington
Beck	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lyons	Pruitt
Blanton	Graham	Manley	Robertson
Brannan	Grainger	Mathews	Sessions
Brassell	Hain	Mays	Springer
Cherner	Harris	McElhaney	Stembridge
Collier	Haygood	Meade	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Williams
Crawford	Hobbie	Money	Wood
Dill	Holladay	Nettles	Wright
Dobbs	House	Neville	Yeilding

—64

And the bill:

H. 1546. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Brannan	Collier	Crawford
Bassett	Brassell	Collins (C)	Dill
Beck	Brown	Collins (W)	Dobbs
Blanton	Cherner	Cook (Coffee)	Downing

Ellis	Holladay	Meade	Pruitt
Fine	House	Melton	Robertson
Foshee	Jackson (F)	Merrill	Sessions
Gafford	Jackson (T)	Money	Shumate
Graham	Jones	Nettles	Springer
Grainger	Laxson	Neville	Stembridge
Grayson	Lemley	Owen (Baldwin)	Turnham
Hain	Lyons	Paulk	Williams
Harris	Mays	Pearson	Wood
Haygood	McCorquodale	Pennington	Wright
Headley	McLain	Perloff	Yeilding
Hobbie			

—61

And the bill:

H. 1508. To transfer all portions of any State Forest that lays within boundary of counties having between 22,350 and 24,000 population to the Division of State Parks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Pearson
Agee	Ellis	Laxson	Perloff
Bassett	Fine	Lemley	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Mathews	Springer
Brannan	Garrett	Mays	Stembridge
Brassell	Graham	McElhaney	Stubbs
Brown	Grainger	Meade	Tuck
Burgreen	Harris	Melton	Turnham
Collier	Haygood	Merrill	Williams
Culver	Higginbotham	Nettles	Wood
Dill	Hill	Neville	Wright
Dobbs	Hobbie	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Owens (W)	Young
Downing	Jackson (T)	Paulk	

—59

And the bill:

H. 1509. To transfer all portions of any State Forest that lays within boundary of counties having between 32,500 and 34,000 population to the Division of State Parks.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Perloff
Agee	Fine	Lemley	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Gafford	Mathews	Sessions
Berryman (W)	Gloor	Mays	Stembridge
Brannan	Graham	Meade	Stubbs
Brassell	Grainger	Melton	Tuck
Brown	Harris	Merrill	Turnham
Burgreen	Headley	Nettles	Williams
Collier	Higginbotham	Neville	Wood
Crawford	Hobbie	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Paulk	Young
Downing			

—53

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 70 (with amendment). Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Was taken up.

Mr. Shumate raised a point of order as to whether or not the bill, S. 70, had been properly reported out of committee.

The Speaker recommitted the bill, S. 70, to the Standing Committee on Highway Safety.

And the bill:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Was read a third time at length and passed.

Yeas 55; Nays 4.

Yeas:

Mr. Speaker	Gafford	Laxson	Pennington
Agee	Garrett	Lyons	Perloff
Bassett	Graham	Manley	Pruitt
Beck	Grainger	Mays	Robertson
Brannan	Grayson	McCorquodale	Sessions
Brassell	Hain	McElhaney	Shumate
Burgess	Harris	Meade	Springer
Collier	Haygood	Melton	Starnes
Crawford	Headley	Merrill	Stubbs
Culver	Higginbotham	Nettles	Williams
Dill	Hill	Neville	Wright
Ellis	Hobbie	Owen (Baldwin)	Yeilding
Fine	Jackson (F)	Paulk	Young
Foshee	Jones	Pearson	

—55

Nays:

Messrs.:	Downing	Edington	Jackson (T)
Collins (C)			

—4

MOTION TO BRING UP H. 1220 LOST

The motion of Mr. Haygood to suspend the rules and bring up out of order the bill, H. 1220, was lost.

Yeas 32; Nays 23.

Yeas:

Messrs.:	Dill	Hill	Pennington
Agee	Dobbs	Hobbie	Perloff
Beck	Doss	Lemley	Shumate
Berryman (W)	Edington	Malone	Smith
Blanton	Ellis	McCorquodale	Starnes
Brassell	Graham	Meade	Steagall
Collier	Grayson	Melton	Stubbs
Cook (Coffee)	Haygood	Pearson	Wright
Culver			

—32

Nays:

Mr. Speaker	Fine	Lyons	Paulk
Burgess	Gafford	Mays	Sessions
Burgreen	Harris	Merrill	Springer
Collins (C)	Headley	Nettles	Stembridge
Crawford	Higginbotham	Neville	Watkins
Downing	Jackson (T)	Owen (Baldwin)	

—23

And the bill:

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

Was read a third time at length and passed.

Yeas 59; Nays 3.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Pennington
Agee	Fine	Jones	Perloff
Bank	Foshee	Laxson	Pruitt
Bassett	Gafford	Manley	Sessions
Beck	Garrett	Mathews	Shumate
Berryman (W)	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	Melton	Starnes
Burgess	Hain	Merrill	Stubbs
Burgreen	Harris	Money	Turnham
Collier	Headley	Nettles	Williams
Culver	Higginbotham	Neville	Wright
Dobbs	Hill	Owen (Baldwin)	Yeilding
Drake	Hobbie	Paulk	Young
Edington	Holman	Pearson	

—59

Nays: Messrs. Dill, Downing and Lemley

—3

MOTION TO BRING UP H. 1411 LOST

The motion of Mr. Holladay to suspend the rules and bring up out of order the bill, H. 1411, was lost.

Yeas 35; Nays 22.

Yeas:

Messrs.:	Beck	Brannan	Collier
Agee	Berryman (W)	Brassell	Collins (C)

Culver	Graham	Mathews	Robertson
Dill	Grainger	McCorquodale	Sessions
Dobbs	Grayson	Melton	Smith
Edington	Harris	Money	Starnes
Fine	Hill	Neville	Stembridge
Garrett	Laxson	Perloff	Wood
Gloor	Lemley	Pruitt	Young

—35

Nays:

Mr. Speaker	Ellis	Lyons	Owen (Baldwin)
Bank	Gafford	Mays	Owens (W)
Bassett	Headley	Meade	Pearson
Burgess	Hobbie	Merrill	Springer
Burgreen	Jackson (F)	Nettles	Yeilding
Downing	Jackson (T)		

—22

And the bill:

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

Was read a third time at length and passed.

Yeas 62; Nay 1.

Yeas:

Mr. Speaker	Downing	Lemley	Owens (W)
Agee	Edington	Lyons	Pearson
Bank	Ellis	Manley	Pennington
Bassett	Foshee	Mathews	Perloff
Beck	Gafford	Mays	Pruitt
Berryman (W)	Graham	McCorquodale	Sessions
Brannan	Grainger	McElhane	Smith
Brassell	Grayson	McLain	Starnes
Burgess	Hain	Meade	Steagall
Cherner	Harris	Melton	Stembridge
Collier	Higginbotham	Merrill	Watkins
Collins (C)	Hill	Money	Williams
Crawford	Hobbie	Nettles	Wood
Culver	Jackson (F)	Neville	Yeilding
Dill	Jones	Owen (Baldwin)	Young
Dobbs	Laxson		

—62

Nay: Mr. Jackson (T)

—1

And the bill:

H. 1525. Relating to the Legislative Reference Service and the Legislative Council, amending further Section 1 of Act No. 152, H. 60, Regular Session 1945 (General Acts 1945, p. 190), as amended, so as to provide further for the salary of the director of the Legislative Reference Service.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nay 1.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Paulk
Agee	Fine	Jones	Pearson
Bank	Foshee	Laxson	Pennington
Bassett	Gafford	Lemley	Perloff
Beck	Garrett	Lyons	Pruitt
Berryman (W)	Gloor	Manley	Sessions
Brannan	Graham	Mays	Smith
Brassell	Grainger	McCorquodale	Springer
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cherner	Harris	Meade	Stembridge
Collier	Headley	Melton	Stubbs
Crawford	Higginbotham	Merrill	Watkins
Culver	Hill	Money	Williams
Dill	Holladay	Nettles	Wood
Downing	Holman	Neville	Yeilding
Drake	Jackson (F)	Owens (W)	Young
Edington			

—69

Nay: Mr. Brown

—1

And the bill:

H. 846. To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars (\$100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

Was taken up.

Mr. Hain offered the following amendment to the bill, H. 846, as amended:

Amend H. B. 846 as follows:

Delete Section 8 and insert the following: "Section 8. The salary of the Chief State Land Surveyor shall be fixed by the Authority with the approval of the State Personnel Board at not more than twenty-five thousand dollars (\$25,000.00) per year, payable monthly out of the State Land Survey Fund hereinafter described."

Also amend H. B. 846 as follows:

Delete Section 10 and insert the following: "Section 10. The State Land Survey Authority may acquire in the name of the State of Alabama lands or interests therein, where necessary, to establish permanent monuments; and may lease or purchase or acquire by negotiation, land for the establishment of an office of the Authority."

Also amend H. B. 846 as follows:

Delete Section 15 and insert the following: "Section 10. On request of this Authority or the Chief State Land Surveyor, all probate judges or other recorders or deeds, mortgages or other instruments dealing with any interest in real property, together with all departments, boards or agencies of state government, county or city government, may furnish to this Authority or the State Land Surveyor certified copies of desired records which are in their custody. This service shall be free of cost when possible; on the same basis of cost, this Authority shall furnish records within its custody to other agencies or departments of state, county or city, certifying them. Copies of records of this Authority, when so certified by the Chief State Land Surveyor, shall be admitted in evidence, without further identification, in any court proceeding in the state if the substance of the record is properly admissible in the proceeding."

And the amendment was adopted.

Yeas 49; Nays 6.

Yeas:

Mr. Speaker	Drake	Hill	Nettles
Agee	Edington	House	Neville
Beck	Ellis	Jones	Owen (Baldwin)
Berryman (W)	Fine	Lemley	Owens (W)
Blanton	Gafford	Lyons	Paulk
Brannan	Garrett	Mathews	Pearson
Brassell	Grainger	Mays	Sessions
Cherner	Grayson	McCorquodale	Smith
Cook (Coffee)	Hain	Meade	Springer
Crawford	Harris	Melton	Starnes
Culver	Headley	Merrill	Wood
Dobbs	Higginbotham	Money	Yeilding
Downing			

—49

Nays:

Messrs.:	Gloor	Robertson	Stubbs
Brown	Haygood	Stembridge	

—6

MOTION TO CARRY OVER

Mr. McLain moved to carry over the bill, H. 846, to the thirty-fourth legislative day.

On motion of Mr. Hain, the motion of Mr. McLain to carry over was tabled.

Yeas 50; Nays 27.

Yeas:

Mr. Speaker	Dill	Jones	Owen (Baldwin)
Agee	Downing	Laxson	Paulk
Bank	Drake	Lemley	Pearson
Bassett	Edington	Lyons	Sessions
Beck	Fine	Mathews	Shumate
Berryman (W)	Garrett	Mays	Smith
Blanton	Grainger	McCorquodale	Springer
Brannan	Hain	McElhaney	Starnes
Brassell	Headley	Meade	Steagall
Burgreen	Higginbotham	Melton	Stubbs
Collins (C)	Hill	Money	Turnham
Cook (Coffee)	Hobbie	Neville	Young
Culver	Holman		

—50

Nays:

Messrs.:	Doss	Jackson (T)	Robertson
Brown	Ellis	McLain	Stembridge
Burgess	Gafford	Nettles	Watkins
Cherner	Gloor	Owens (W)	Williams
Collier	Graham	Pennington	Wood
Crawford	Grayson	Perloff	Wright
Dobbs	Harris	Pruitt	Yeilding

—27

Mr. Hain then offered amendment #2 to the bill, H. 846, as amended, said amendment #2 being as follows:

In Section 19, at the end and as a part thereof, add the following paragraph:

Any funds or monies accruing to the "State Lands Survey Fund" during the biennium 1969-1970—1970-1971 are hereby appropriated for expenditure for carrying out the provisions of this Act.

And the amendment was adopted.

Yeas 59; Nays 9.

Yeas:

Mr. Speaker	Doss	Hobbie	Owens (W)
Agee	Downing	Holladay	Paulk
Bank	Drake	Holman	Pearson
Bassett	Edington	Jones	Perloff
Beck	Ellis	Laxson	Sessions
Berryman (W)	Fine	Lemley	Shumate
Blanton	Gafford	Lyons	Smith
Brannan	Garrett	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Burgreen	Grainger	McElhaney	Stubbs
Collins (C)	Grayson	Meade	Turnham
Cook (Coffee)	Hain	Melton	Wood
Culver	Harris	Money	Yeilding
Dill	Higginbotham	Nettles	Young
Dobbs	Hill	Owen (Baldwin)	

—59

Nays:

Messrs.:	Gloor	Robertson	Watkins
Brown	Jackson (T)	Stembridge	Wright
Cherner	Pennington		

—9

And the bill, H. 846, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 29.

Yeas:

Mr. Speaker	Cook (Coffee)	Hill	Melton
Agee	Dobbs	Hobbie	Money
Bank	Downing	Holladay	Neville
Bassett	Drake	Holman	Owen (Baldwin)
Beck	Edington	Jones	Paulk
Blanton	Ellis	Laxson	Pearson
Brannan	Fine	Lemley	Sessions
Brassell	Garrett	Mays	Shumate
Burgreen	Grainger	McCorquodale	Stubbs
Collier	Hain	McElhaney	Yeilding
Collins (C)	Higginbotham	Meade	Young
Collins (W)			

—45

Nays:

Messrs.:	Gafford	Mathews	Pruitt
Berryman (W)	Gloor	McLain	Robertson
Brown	Graham	Merrill	Stembridge
Burgess	Grayson	Nettles	Watkins
Cherner	Harris	Owens (W)	Williams
Crawford	Haygood	Pennington	Wood
Culver	Jackson (T)	Perloff	Wright
Dill	Lyons		

—29

And the bill:

H. 30. To make appropriations from the Alabama Special Educational Trust Fund for capital outlay purposes to the Geneva County Board of Education and to the Elba City Board of Education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 4.

Yeas:

Mr. Speaker	Dill	Hill	Owens (W)
Agee	Dobbs	Hobbie	Paulk
Bank	Downing	Holman	Pearson
Bassett	Drake	House	Perloff
Beck	Edington	Jackson (F)	Pruitt
Berryman (W)	Ellis	Jones	Robertson
Blanton	Fine	Laxson	Sessions
Brannan	Foshee	Lyons	Shumate
Brassell	Garrett	Mays	Smith
Brown	Gloor	McCorquodale	Springer
Burgess	Graham	McElhaney	Starnes
Burgreen	Grainger	Meade	Stembridge
Cameron	Grayson	Melton	Stubbs
Collier	Hain	Merrill	Williams
Collins (W)	Harris	Money	Wood
Cook (Coffee)	Haygood	Nettles	Yeilding
Crawford	Headley	Neville	Young
Culver	Higginbotham	Owen (Baldwin)	

—71

Nays:

Messrs.: Jackson (T) Lemley Wright
Holladay

—4

And the bill:

S. 751 (with amendment). To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Program Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend S.B. 751 by striking the words "Director of Program Development" where they appear in the title of said bill and insert in lieu thereof the words "Director of Development."

Further amend S.B. 751 by striking from paragraph 2 of Section 5 of said S.B. 751, as last amended, in the last sentence of said paragraph the words "are hereby transferred to the Alabama Program Office" and insert in lieu of said stricken words the following:

"are hereby transferred to the Alabama Development Office."

And the amendment was adopted.

Yeas 63; Nays 4.

Yeas:

Mr. Speaker	Drake	Hobbie	Pearson
Bank	Edington	Holladay	Pennington
Beck	Ellis	Holman	Perloff
Berryman (W)	Fine	Jones	Pruitt
Blanton	Foshee	Lemley	Shumate
Brannan	Garrett	Lyons	Smith
Brassell	Gloor	Manley	Starnes
Brown	Graham	Mays	Steagall
Burgreen	Grainger	McCorquodale	Stembridge
Cherner	Grayson	Meade	Stubbs
Collier	Hain	Melton	Williams
Collins (C)	Harris	Merrill	Wood
Crawford	Haygood	Money	Wright
Culver	Headley	Nettles	Yeilding
Dill	Higginbotham	Owen (Baldwin)	Young
Downing	Hill	Paulk	

—63

Nays:

Messrs.: Jackson (T) Robertson Watkins
Burgess

—4

And the bill, S. 751, as thus amended:

S. 751. To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Board; to repeal all laws in conflict with this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 3.

Yeas:

Mr. Speaker	Downing	Hobbie	Pearson
Bank	Drake	Holladay	Pennington
Bassett	Edington	Holman	Perloff
Beck	Ellis	Jackson (F)	Pruitt
Berryman (W)	Fine	Jones	Sessions
Blanton	Foshee	Lemley	Shumate
Brannan	Garrett	Lyons	Smith
Brassell	Gloor	Manley	Starnes
Brown	Graham	Mays	Steagall
Burgreen	Grainger	McCorquodale	Stembridge
Cherner	Grayson	Meade	Stubbs
Collier	Hain	Melton	Turnham
Collins (C)	Harris	Merrill	Williams
Cook (Coffee)	Haygood	Money	Wood
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Owen (Baldwin)	Yeilding
Dill	Hill	Paulk	Young

—68

Nays: Messrs. Burgess, Jackson (T) and Watkins

—3

And the bill:

H. 201. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Was taken up.

Mr. Bank offered the following amendment to the bill, H. 201:

Amend HB 201 by deleting in its entirety Section 1 of said bill and insert in lieu thereof the following:

"Section 1. No person shall operate a cafe, cafeteria, restaurant, private club, snack bar, sandwich shop, bakery, meat market, dairy and milk plant, or other public dining facility or place where food for human consumption is prepared, served or distributed unless such person shall have a health card signed by a public health officer or licensed physician of this state showing that such person is free from tuberculosis and other contagious and infectious diseases. Nor shall such per-

son employ or permit another to handle food, food containers or implements used in the preparation, serving or dispensing of food in any such establishment unless such employee shall have in his possession at the time of his employment the required health card showing that he is free from tuberculosis and other contagious and infectious diseases. Such card, which shall remain in the possession of the person to whom issued, shall be dated not less than one year prior to the date he commences to operate or to work in any such food handling establishment. Each such operator or employee shall thereafter have a chest X-ray or tubercular screen test made at the county board of health or by a licensed physician at least once during each twelve month period while he continues to operate or to be employed in such business. If such person is found to be free of tuberculosis, the county health officer or physician shall issue to him a signed and dated certificate showing that he is free from tuberculosis. Any employee found to have tuberculosis or failing or refusing to take the tests required shall be immediately dismissed by his employer, and any self-employed person operating such a food handling business who is found to have tuberculosis shall immediately cease all physical or personal operation of such business."

And the amendment was adopted.

Yeas 63; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk
Bank	Dobbs	Jackson (T)	Perloff
Bassett	Downing	Jones	Pruitt
Beck	Drake	Laxson	Robertson
Berryman (W)	Edington	Lemley	Sessions
Blanton	Ellis	Lyons	Smith
Brannan	Fine	Manley	Starnes
Brassell	Foshee	Mays	Steagall
Burgess	Garrett	McCorquodale	Stembridge
Burgreen	Gloor	McLain	Stubbs
Cherner	Graham	Meade	Turnham
Collier	Grainger	Melton	Williams
Collins (C)	Grayson	Merrill	Wood
Cook (Coffee)	Hain	Money	Wright
Crawford	Higginbotham	Nettles	Yeilding
Culver	Holman	Owen (Baldwin)	—63

Nay: Mr. Harris —1

Mr. Dobbs offered the following amendment to the bill, H. 201, as amended:

In Section 1, add at the end of such section and as a part thereof the following:

Provided, however, that any person who operates a food handling establishment may in emergencies employ temporary help in such establishments who do not have in their possession a health card as above required; but no such temporary employee may be employed for more than 10 days without obtaining such a health card.

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen
Bassett	Blanton	Brown	Cherner

Collier	Graham	Lyons	Perloff
Cook (Coffee)	Grainger	Manley	Pruitt
Crawford	Grayson	Mays	Robertson
Culver	Hain	McCorquodale	Shumate
Dill	Harris	McLain	Smith
Dobbs	Haygood	Meade	Starnes
Downing	Higginbotham	Melton	Steagall
Drake	Hill	Merrill	Stubbs
Edington	Holladay	Money	Turnham
Ellis	Holman	Nettles	Williams
Fine	Jackson (F)	Owen (Baldwin)	Wood
Foshee	Jackson (T)	Paulk	Wright
Garrett	Jones	Pearson	Yeilding
Gloor	Lemley		

—66

And the bill, H. 201, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 4.

Yeas:

Mr. Speaker	Edington	Holman	Pearson
Bank	Ellis	Jackson (F)	Perloff
Bassett	Fine	Jackson (T)	Pruitt
Beck	Foshee	Jones	Sessions
Berryman (W)	Gafford	Lemley	Shumate
Blanton	Garrett	Lyons	Smith
Brannan	Gloor	Manley	Springer
Brassell	Graham	Mathews	Starnes
Burgess	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stubbs
Cherner	Hain	Meade	Turnham
Collier	Haygood	Melton	Watkins
Cook (Coffee)	Higginbotham	Merrill	Williams
Culver	Hill	Money	Wood
Dill	Hobbie	Nettles	Wright
Downing	Holladay	Owen (Baldwin)	Yeilding
Drake			

—65

Nays:

Messrs.:	Collins (C)	Harris	Robertson
Brown			

—4

And the bill:

H. 875. To amend Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate further the employment of apprentices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 9.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Crawford
Bank	Blanton	Burgess	Culver
Bassett	Brannan	Burgreen	Dill
Beck	Brassell	Collier	Dobbs

Downing	Hill	Merrill	Springer
Drake	Hobbie	Money	Starnes
Ellis	Holman	Owen (Baldwin)	Steagall
Fine	House	Owens (W)	Stembridge
Foshee	Jackson (F)	Paulk	Stubbs
Graham	Lemley	Pearson	Turnham
Grayson	Manley	Perloff	Williams
Hain	Mathews	Pruitt	Wood
Harris	Mays	Sessions	Wright
Haygood	McCorquodale	Shumate	Yeilding
Headley	Meade	Smith	Young
Higginbotham			

—61

Nays:

Messrs.:	Garrett	Jones	Melton
Collins (C)	Gloor	Lyons	Nettles
Edington	Jackson (T)		

—9

MOTION TO BRING UP H. 203

The motion of Mr. Brown to suspend the rules and bring up out of order the bill, H. 203, was lost.

Yeas 42; Nays 23.

Yeas:

Messrs.:	Edington	Holman	Paulk
Bank	Foshee	Jackson (F)	Pennington
Beck	Garrett	Jackson (T)	Robertson
Berryman (W)	Graham	Mathews	Sessions
Blanton	Grainger	McCorquodale	Shumate
Brannan	Grayson	McElhaney	Smith
Brassell	Hain	McLain	Starnes
Brown	Harris	Melton	Steagall
Collier	Haygood	Money	Stubbs
Culver	Hill	Neville	Wood
Dill	Hobbie	Owens (W)	

—42

Nays:

Mr. Speaker	Ellis	Meade	Springer
Bassett	Gafford	Merrill	Stembridge
Burgess	Gloor	Nettles	Turnham
Burgreen	Headley	Owen (Baldwin)	Wright
Crawford	Lemley	Perloff	Yeilding
Downing	Mays	Pruitt	

—23

And the bill:

H. 1171. To prescribe the hours of work and holidays for state troopers, officers and members of the Alabama State Highway Patrol.

Was taken up.

MOTION FOR CO-SPONSORS

On motion of Mr. Fite, the following were added as co-sponsors to the bill, H. 1171:

Messrs. Fite, Bank, Bassett, Beck, Berryman (W), Blanton, Brannan, Brassell, Burgess, Burgreen, Cameron, Cherner, Collier, Cook (Coffee), Crawford, Culver, Dill, Dobbs, Drake, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Harris, Hay-

good, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jones, Laxson, Lemley, Manley, Mathews, Mays, McCorquodale, McElhaney, Meade, Merrill, Money, Neville, Owen (Baldwin), Owens (W), Paulk, Pearson, Pennington, Pruitt, Robertson, Sessions, Shumate, Smith, Springer, Starnes, Steagall, Stembridge, Stubbs, Turnham, Williams, Wood, Wright, Yeilding, Young.

And the bill was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Pennington
Bank	Ellis	Jones	Perloff
Bassett	Fine	Laxson	Pruitt
Beck	Foshee	Lemley	Robertson
Berryman (W)	Gafford	Lyons	Sessions
Blanton	Garrett	Manley	Shumate
Brannan	Gloor	Mathews	Smith
Brassell	Graham	Mays	Springer
Burgess	Grainger	McCorquodale	Starnes
Burgreen	Grayson	McElhaney	Steagall
Cameron	Hain	Meade	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Turnham
Cook (Coffee)	Headley	Money	Watkins
Crawford	Higginbotham	Nettles	Williams
Culver	Hill	Neville	Wood
Dill	Hobbie	Owen (Baldwin)	Wright
Dobbs	Holladay	Owens (W)	Yeilding
Downing	Holman	Paulk	Young
Drake	House	Pearson	

—79

MOTION TO BRING UP H. 36 LOST

The motion of Mr. Graham to suspend the rules and bring up out of order the bill, H. 36, was lost.

Yeas 46; Nays 18.

Yeas:

Messrs.:	Culver	Holman	Robertson
Agee	Dill	Jackson (F)	Sessions
Bank	Dobbs	Jackson (T)	Shumate
Bassett	Foshee	Jones	Smith
Beck	Graham	Laxson	Starnes
Berryman (W)	Grainger	Mays	Steagall
Blanton	Grayson	McCorquodale	Stubbs
Brannan	Harris	McElhaney	Turnham
Brassell	Haygood	Melton	Williams
Cameron	Higginbotham	Neville	Wood
Cherner	Hill	Pennington	Yeilding
Collier	Hobbie	Perloff	

—46

Nays:

Mr. Speaker	Gafford	Mathews	Paulk
Burgess	Garrett	Meade	Pearson
Burgreen	Hain	Merrill	Pruitt
Crawford	Holladay	Owen (Baldwin)	Stembridge
Downing	Manley		

—18

And the bill:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Text-book Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Was taken up.

Mr. Turnham moved that the bill, S. 322, be carried over to the thirty-fifth legislative day.

On motion of Mr. Merrill, the motion of Mr. Turnham to carry over was tabled.

Yeas 38; Nays 37.

Yeas:

Mr. Speaker	Edington	Mathews	Pearson
Bank	Gloor	Mays	Pennington
Beck	Graham	Meade	Pruitt
Berryman (W)	Hain	Melton	Shumate
Brannan	Headley	Merrill	Smith
Brassell	Hill	Money	Springer
Burgreen	House	Nettles	Steagall
Cook (Coffee)	Laxson	Neville	Williams
Downing	Lemley	Owen (Baldwin)	Wright
Drake	Manley		

—38

Nays:

Messrs.:	Culver	Harris	Paulk
Agee	Dill	Haygood	Robertson
Bassett	Dobbs	Hobbie	Sessions
Blanton	Ellis	Holman	Starnes
Brown	Fine	Jackson (T)	Stembridge
Burgess	Foshee	Jones	Stubbs
Cherner	Gafford	McElhaney	Turnham
Collier	Garrett	McLain	Watkins
Collins (C)	Grainger	Owens (W)	Yeilding
Crawford	Grayson		

—37

Mr. Garrett moved that the bill, S. 322, be carried over to the thirty-fourth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Merrill to table the motion of Mr. Garrett to carry over was lost.

Yeas 33; Nays 47.

Yeas:

Mr. Speaker	Gloor	Manley	Nettles
Bank	Hain	Marr	Owen (Baldwin)
Beck	Headley	Mathews	Pennington
Berryman (W)	Holladay	Mays	Pruitt
Brassell	House	Meade	Smith
Cook (Coffee)	Laxson	Melton	Springer
Downing	Lemley	Merrill	Steagall
Drake	Lyons	Money	Williams
Fine			

—33

Nays:

Messrs.:	Dill	Hill	Perloff
Agee	Dobbs	Hobbie	Robertson
Bassett	Edington	Holman	Sessions
Blanton	Ellis	Jackson (F)	Starnes
Brannan	Foshee	Jackson (T)	Stembridge
Brown	Gafford	Jones	Stubbs
Burgess	Garrett	McElhaney	Turnham
Burgreen	Grainger	McLain	Watkins
Collier	Grayson	Neville	Wood
Collins (C)	Harris	Owens (W)	Wright
Crawford	Haygood	Paulk	Yeilding
Culver	Higginbotham	Pearson	Young

—47

The question then was on the motion of Mr. Garrett that the bill, S. 322, be carried over to the thirty-fourth legislative day, and the motion was adopted.

Yeas 51; Nays 22.

Yeas:

Messrs.:	Culver	Hill	Pearson
Agee	Dill	Hobbie	Pennington
Bassett	Dobbs	Holladay	Perloff
Berryman (W)	Edington	Holman	Robertson
Blanton	Ellis	Jackson (T)	Sessions
Brannan	Gafford	Jones	Starnes
Brown	Garrett	Laxson	Stembridge
Burgess	Grainger	Manley	Stubbs
Burgreen	Grayson	Marr	Turnham
Cherner	Harris	McElhaney	Wood
Collier	Haygood	McLain	Wright
Collins (C)	Headley	Owens (W)	Yeilding
Crawford	Higginbotham	Paulk	Young

—51

Nays:

Mr. Speaker	Fine	Melton	Pruitt
Beck	Hain	Merrill	Smith
Brassell	House	Money	Springer
Cook (Coffee)	Lyons	Nettles	Steagall
Downing	Mays	Owen (Baldwin)	Williams
Drake	Meade		

—22

And the bill:

H. 1438. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 4.

Yeas:

Messrs.:	Edington	House	Pearson
Agee	Ellis	Jackson (F)	Pennington
Beck	Foshee	Jackson (T)	Perloff
Berryman (W)	Gafford	Jones	Pruitt
Blanton	Garrett	Laxson	Sessions
Brannan	Gloor	Lyons	Shumate
Brassell	Graham	Manley	Smith
Burgess	Grainger	Marr	Springer
Burgreen	Grayson	Mays	Starnes
Cherner	Hain	Melton	Steagall
Collier	Harris	Merrill	Stembridge
Cook (Coffee)	Haygood	Money	Stubbs
Crawford	Headley	Nettles	Turnham
Culver	Higginbotham	Neville	Wood
Dobbs	Hill	Owen (Baldwin)	Wright
Downing	Hobbie	Owens (W)	Yielding
Drake	Holman	Paulk	Young

—67

Nays:

Mr. Speaker	Brown	Dill	Fine
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—4

And the bill:

H. 1238 (with substitute). To provide that all contracts of insurance or policies of insurance issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Business and Labor, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that all contracts of insurance or policies of insurance or plans or agreements for hospital or health services issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever any contract of insurance or policy of insurance or plan or agreement for hospital or health services provides for reimbursement or payment for any services of a practitioner of the Healing Arts in Alabama as defined in Title 46, Chapter 13 of the 1958 Recompiled Code of Alabama, as amended, the insured or other person entitled to any benefits under such contract or policy of insurance or plan or agreement for hospital or health services shall be paid or reimbursed for such services, irrespective of whether such services are performed by a particular licensed member of the branch of the Healing Arts of Alabama as so designated in such contract or policy of insurance or plan or agreement for hospital or health services or performed by a duly licensed member of some other branch of the Healing Arts, and also irrespective of whether such contract or policy of insurance or plan or agreement for hospital or health services excludes or includes the particular practitioner and notwithstanding any provisions of such contract or policy of insurance or plan or agreement for hospital or

health services to the contrary, provided the services are performed by a duly licensed practitioner of the Healing Arts of Alabama and such services are within the scope of the license of such practitioner. The insured or such other person entitled to benefits under such contract or policy of insurance or plan or agreement for hospital or health services shall also have the exclusive right to choose or select any practitioner or member of the Healing Arts of Alabama to perform such services, notwithstanding any provisions of such contract or policy of insurance or plan or agreement for hospital or health services to the contrary, provided the practitioner is duly licensed by the Healing Arts Board of this State and the services performed are within the scope of his or her license.

Section 2. This Act shall become effective on the first day of the month next following the date of its passage and approval by the Governor, or its otherwise becoming law.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the substitute was adopted.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Dill	Higginbotham	Paulk
Agee	Dobbs	Hill	Pearson
Bank	Downing	Hobbie	Perloff
Beck	Drake	Holman	Robertson
Berryman (W)	Edington	Jackson (F)	Sessions
Blanton	Ellis	Lemley	Shumate
Brannan	Fine	Lyons	Smith
Brassell	Foshee	Manley	Starnes
Brown	Graham	Meade	Steagall
Burgess	Grainger	Melton	Stubbs
Burgreen	Grayson	Merrill	Williams
Cherner	Hain	Money	Wood
Collier	Harris	Nettles	Wright
Cook (Coffee)	Haygood	Neville	Young
Culver	Headley	Owen (Baldwin)	

—59

Nays:

Messrs.:	Gafford	Jones	Pruitt
Collins (C)			

—4

Mr. McCorquodale offered the following amendment to the bill, H. 1238, as amended:

Add a new Section 2 reading as follows and renumber the Sections:

"Section 2. A practitioner of the Healing Arts in Alabama as defined in Title 46, Chapter 13 of the 1958 Recompiled Code of Alabama, as amended, shall be entitled to perform all functions and duties permitted any practitioner as defined in said Chapter 13, including, without limitation thereof, admitting patients to any hospital in this State and practicing his profession in any such hospital in this State."

On motion of Mr. Burgess, the amendment offered by Mr. McCorquodale was tabled.

Yeas 45; Nays 24.

Yeas:

Mr. Speaker	Dobbs	Hill	Robertson
Agee	Doss	Hobbie	Shumate
Bank	Downing	Holman	Smith
Beck	Drake	Marr	Starnes
Berryman (W)	Edington	Meade	Steagall
Brannan	Ellis	Merrill	Stubbs
Brassell	Fine	Money	Watkins
Brown	Grainger	Neville	Williams
Burgess	Grayson	Owen (Baldwin)	Wood
Burgreen	Headley	Paulk	Wright
Collier	Higginbotham	Perloff	Young
Cook (Coffee)			

—45

Nays:

Messrs.:	Holladay	Manley	Pennington
Collins (C)	House	McCorquodale	Pruitt
Collins (W)	Jackson (T)	McElhaney	Springer
Crawford	Jones	Melton	Stembridge
Culver	Laxson	Nettles	Turnham
Dill	Lemley	Pearson	Yeilding
Harris			

—24

Mr. McElhaney moved that the bill, H. 1238, be carried over to the thirty-fourth legislative day.

On motion of Mr. Burgess, the motion of Mr. McElhaney was tabled.

Yeas 50; Nays 18.

Yeas:

Mr. Speaker	Dill	Headley	Pennington
Bank	Dobbs	Hobbie	Perloff
Bassett	Doss	Holman	Robertson
Beck	Downing	Marr	Shumate
Berryman (W)	Drake	Meade	Smith
Brannan	Edington	Melton	Starnes
Brassell	Ellis	Merrill	Steagall
Brown	Fine	Money	Stubbs
Burgess	Grainger	Neville	Watkins
Burgreen	Grayson	Owen (Baldwin)	Williams
Cherner	Hain	Paulk	Wright
Cook (Coffee)	Harris	Pearson	Young
Culver	Haygood		

—50

Nays:

Messrs.:	Garrett	Lemley	Stembridge
Collier	Hill	McCorquodale	Turnham
Collins (C)	House	McElhaney	Wood
Collins (W)	Jackson (T)	Nettles	Yeilding
Crawford	Jones	Pruitt	

—18

And the bill, H. 1238, as thus amended:

To provide that all contracts of insurance or policies of insurance or plans or agreements for hospital or health services issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 9.

Yeas:

Mr. Speaker	Culver	Haygood	Paulk
Agee	Dill	Headley	Pearson
Bank	Dobbs	Hobbie	Pennington
Bassett	Doss	Holman	Perloff
Beck	Downing	Manley	Robertson
Berryman (W)	Drake	Marr	Shumate
Brannan	Edington	McCorquodale	Starnes
Brassell	Ellis	Meade	Steagall
Brown	Fine	Melton	Stubbs
Burgess	Grainger	Merrill	Williams
Burgreen	Grayson	Money	Wood
Collier	Hain	Neville	Wright
Collins (W)	Harris	Owen (Baldwin)	Young
Cook (Coffee)			

—53

Nays:

Messrs.:	Hill	Lemley	Pruitt
Collins (C)	Jackson (T)	Nettles	Stembridge
Crawford	Jones		

—9

MOTION TO RECESS LOST

The motion of Mr. Manley that the House recess until two o'clock P. M., was lost.

Yeas 35; Nays 37.

Yeas:

Mr. Speaker	Cook (Coffee)	Higginbotham	Paulk
Bassett	Dill	Hill	Pennington
Berryman (W)	Dobbs	Jackson (T)	Pruitt
Blanton	Downing	Laxson	Robertson
Brannan	Edington	Manley	Shumate
Brassell	Fine	McCorquodale	Smith
Burgess	Grayson	Neville	Watkins
Collier	Hain	Owen (Baldwin)	Williams
Collins (C)	Headley	Owens (W)	

—35

Nays:

Messrs.:	Drake	House	Sessions
Agee	Ellis	Jones	Starnes
Beck	Gafford	Marr	Stembridge
Brown	Garrett	Meade	Stubbs
Burgreen	Graham	Melton	Turnham
Cherner	Grainger	Money	Wood
Collins (W)	Harris	Nettles	Wright
Crawford	Haygood	Pearson	Yeilding
Culver	Hobbie	Perloff	Young
Doss	Holman		

—37

MOTION TO ADJOURN LOST

The motion of Mr. Turnham that the House adjourn until two o'clock P. M. Thursday, August 21, 1969, was lost.

Yeas 18; Nays 59.

REGULAR SESSION

2825

Yeas:

Mr. Speaker	Hain	Melton	Shumate
Burgess	Headley	Neville	Turnham
Collins (W)	Holladay	Paulk	Watkins
Dill	Jackson (T)	Pruitt	Wood
Fine	Meade		

—18

Nays:

Messrs.:	Dobbs	Hobbie	Owen (Baldwin)
Agee	Downing	Holman	Owens (W)
Bank	Drake	House	Pearson
Bassett	Edington	Jones	Pennington
Beck	Ellis	Laxson	Perloff
Berryman (W)	Gafford	Lemley	Robertson
Blanton	Garrett	Manley	Sessions
Brassell	Gloor	Marr	Smith
Brown	Graham	Mays	Starnes
Burgreen	Grainger	McCorquodale	Stembridge
Cherner	Grayson	McElhanev	Stubbs
Collier	Harris	McLain	Williams
Collins (C)	Haygood	Merrill	Wright
Crawford	Higginbotham	Money	Yeilding
Culver	Hill	Nettles	Young

—59

RECESS

On motion of Mr. Watkins, the House recessed until 1:30 o'clock P. M.

Yeas 40; Nays 37.

Yeas:

Mr. Speaker	Collins (W)	Higginbotham	Owen (Baldwin)
Agee	Dobbs	Hill	Paulk
Bank	Downing	Hobbie	Pennington
Bassett	Fine	Jackson (T)	Pruitt
Berryman (W)	Foshee	Laxson	Robertson
Blanton	Garrett	Manley	Shumate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Steagall
Burgess	Hain	Merrill	Watkins
Collins (C)	Headley	Neville	Williams

—40

Nays:

Messrs.:	Ellis	Marr	Sessions
Beck	Gloor	McLain	Starnes
Brown	Graham	Meade	Stembridge
Burgreen	Harris	Melton	Stubbs
Cherner	Haygood	Money	Turnham
Collier	Holladay	Nettles	Wood
Crawford	Holman	Owens (W)	Wright
Culver	House	Pearson	Yeilding
Dill	Jones	Perloff	Young
Drake	Lemley		

—37

HOUSE RECONVENED

The hour of 1:30 o'clock P. M. having arrived, the House reconvened.

The speaker called the House to order.

MOTION TO RECONSIDER H. 1311

Having voted on the prevailing side by which the bill, H. 1311, was passed, Mr. McLain moved to reconsider the vote, and the motion was adopted.

And the bill:

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Was taken up.

Mr. McLain offered the following amendment to the bill, H. 1311:

In Section 1, strike out the following words and figures: Six Thousand Nine Hundred (\$6,900.00) Dollars, and insert in lieu thereof the following: One Thousand Five Hundred dollars (\$1,500)

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Beck	Doss	Jones	Pearson
Berryman (W)	Downing	Laxson	Pennington
Blanton	Drake	Lemley	Perloff
Brannan	Edington	Malone	Sessions
Burgess	Ellis	Marr	Shumate
Burgreen	Fine	McCorquodale	Smith
Collier	Garrett	McLain	Springer
Collins (C)	Gloor	Meade	Stembridge
Collins (W)	Graham	Meeks	Stubbs
Cook (Coffee)	Grainger	Melton	Waggoner
Cook (Jefferson)	Haygood	Money	Williams
Culver	Hill	Nettles	Yeilding
Dill	Holman	Neville	Young

—56

And the bill, H. 1311, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Adwell	Doss	Jones	Owens (W)
Agee	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Malone	Sessions
Blanton	Ellis	Marr	Shumate
Brannan	Fine	Mays	Smith
Burgreen	Garrett	McCorquodale	Springer
Collier	Gloor	McLain	Stembridge
Collins (C)	Graham	Meade	Stubbs
Collins (W)	Grainger	Melton	Waggoner
Cook (Coffee)	Grayson	Money	Williams
Cook (Jefferson)	Haygood	Nettles	Yeilding
Culver	Hill	Neville	Young
Dill			

—57

MOTION TO BRING UP H. 1534

On motion of Mr. McLain, the rules were suspended and permission granted to bring up out of order the bill, H. 1534.

Yeas 49; Nays 2.

Yeas:

Messrs.:	Downing	Jones	Neville	
Agee	Drake	Laxson	Owens (W)	
Bassett	Edington	Lemley	Pennington	
Beck	Ellis	Malone	Sessions	
Berryman (W)	Fine	Manley	Smith	
Blanton	Garrett	Marr	Springer	
Brannan	Gloor	McCorquodale	Starnes	
Collier	Graham	McLain	Stembridge	
Collins (C)	Grainger	Melton	Stubbs	
Collins (W)	Grayson	Merrill	Williams	
Cook (Coffee)	Haygood	Money	Wood	
Dill	Hill	Nettles	Yeilding	
Dobbs	Holman			—49

Nays: Messrs. Pearson and Young —2

And the bill:

H. 1534 (with amendment). To amend further Section 1 of Act No. 511, H. 610, Regular Session 1963, an Act fixing the compensation of District Attorneys payable from the State treasury, as last amended, so as to delete the provision relative to the district attorney of the twenty-third judicial circuit.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

House Bill 1534 is amended by adding in Section 1 after the words "Special Session 1966," the following words, "and as last amended by Act 526, Acts of Alabama 1967, Volume 2, page 1260,".

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Neville	
Agee	Dobbs	Jackson (T)	Owens (W)	
Bassett	Downing	Jones	Pearson	
Beck	Drake	Laxson	Pennington	
Berryman (W)	Edington	Lemley	Sessions	
Blanton	Ellis	Malone	Springer	
Brannan	Fine	Manley	Starnes	
Burgreen	Garrett	Marr	Stembridge	
Collier	Gloor	McCorquodale	Stubbs	
Collins (C)	Graham	McLain	Williams	
Collins (W)	Grainger	Melton	Wood	
Cook (Coffee)	Grayson	Merrill	Yeilding	
Cook (Jefferson)	Haygood	Money	Young	
Culver	Hill	Nettles		—55

And the bill, H. 1534, as thus amended, was read a third time at

length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Neville
Agee	Dobbs	Jackson (T)	Owens (W)
Bassett	Downing	Jones	Pearson
Beck	Drake	Laxson	Pennington
Berryman (W)	Edington	Lemley	Sessions
Blanton	Ellis	Malone	Springer
Brannan	Fine	Manley	Starnes
Burgreen	Garrett	Marr	Stembridge
Collier	Gloor	McCorquodale	Stubbs
Collins (C)	Graham	McLain	Williams
Collins (W)	Grainger	Melton	Wood
Cook (Coffee)	Grayson	Merrill	Yeilding
Cook (Jefferson)	Haygood	Money	Young
Culver	Hill	Nettles	

—55

RESOLUTIONS

The following resolutions were introduced:

By Mr. House:

H. J. R. 137. WHEREAS the Greater Hueytown Dixie Boys Baseball Team, overcoming strenuous and determined opposition, have, through their individual and collective efforts, achieved the supreme accolade of juvenile baseball by winning the tournament held at Hattiesburg, Mississippi, and being named Dixie Boys World Champions of 1969; and

WHEREAS the members of this body and the people of Alabama are justly proud of the skill and dedication shown by these boys and their coaches, who have demonstrated to the world that Alabama boys can compete successfully in the world of baseball; and

WHEREAS these fine young men of the ages of thirteen and fourteen have demonstrated the best qualities of physical fitness, mental alertness, and love of competition inherent in the youth of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend the Greater Hueytown Dixie Boys Baseball Team for its shining accomplishment.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of the Greater Hueytown Dixie Boys Baseball Team, World Champions of 1969.

On motion of Mr. House, the rules were suspended and H. J. R. 137 was adopted.

Also:

By Messrs. House, Jackson (T), Cherner and Gloor:

H. J. R. 138. WHEREAS this year marks the sesquicentennial anniversary of Alabama's statehood; and

WHEREAS due respect for our rich heritage demands that recognition be taken of the import of this occasion; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That so much of Highway 150 as runs between the city of Bessemer and Highway 31 shall be known as the "Sesquicentennial Highway."

RESOLVED FURTHER, That the highway department shall erect the appropriate road markers along this stretch of highway.

On motion of Mr. House, the rules were suspended and H. J. R. 138 was adopted.

Also:

By Mr. House:

H. J. R. 139. WHEREAS, killer hurricane Camille has totally devastated the Mississippi Gulf Coast and caused severe damage to Louisiana;

WHEREAS, extensive destruction by Camille also occurred in Mobile and Baldwin Counties in Alabama;

WHEREAS, severe storms and hurricanes in recent years have apparently increased in magnitude and frequency in the Gulf of Mexico;

WHEREAS, there exists an urgent need for the preparation and development of a comprehensive interstate plan for action and mutual coordinated assistance before, during and after future hurricane strikes; and

WHEREAS, the unfortunate victims of Camille deserve and need the immediate assistance of all branches and agencies of state, federal and local governments; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That there is hereby established a select interim hurricane planning committee composed of five members of the House of Representatives, appointed by the Speaker of the House, and three members of the Senate, appointed by the President of the Senate immediately to survey the damage caused by hurricane Camille; to cooperate with all agencies of this state and other states and also the federal and local governments in alleviating the present condition and restoring that area recently devastated by Camille and in developing a comprehensive master interstate plan or compact for meeting impending disasters in concert with other states bordering the Gulf of Mexico.

BE IT FURTHER RESOLVED, That committee members shall receive their usual legislative per diem and expenses when engaged in the performance of official duties as members of such committee. Such per diem and expenses shall be paid out of funds appropriated to the use of the legislature, but the total amount so expended shall in no case exceed \$10,000 per annum.

BE IT FURTHER RESOLVED, That this committee shall immediately report their findings and recommendations for action, needed as a result of Camille's destructive visit, to the Governor of Alabama. They shall also report their findings and recommendations for a comprehensive master interstate plan for meeting impending hurricane disasters to the Governor and to both houses of the Legislature by April 1, 1970.

BE IT ALSO RESOLVED, That copies of this resolution be forwarded to the President of the United States, the Governors and Legislatures of all states bordering on the Gulf of Mexico.

On motion of Mr. House, the rules were suspended and H. J. R. 139 was adopted.

The Speaker appointed as a Committee on the part of the House, pursuant to H. J. R. 139, Messrs. Drake, Perloff, Collins (W), Marr and Owen (Baldwin).

BILL ON THIRD READING RESUMED

And the bill:

S. 725. To make an appropriation to the University of Alabama Medical Center for the planning and initiation of the School of Community and Allied Health Resources.

Was read a third time at length and passed.

Yeas 58; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Adwell	Doss	Jones	Paulk
Agee	Downing	Laxson	Pearson
Bank	Drake	Malone	Perloff
Beck	Edington	Manley	Sessions
Berryman (W)	Ellis	Marr	Shumate
Blanton	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Springer
Burgreen	Grainger	McElhaney	Starnes
Cherner	Haygood	McLain	Waggoner
Collier	Headley	Melton	Williams
Collins (W)	Higginbotham	Money	Wood
Cook (Coffee)	Hill	Nettles	Yeilding
Cook (Jefferson)	Holman	Neville	Young
Dill	House		

—58

Nays: Messrs. Crawford, Lemley and Stembridge

—3

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Collins (C), Grayson, Downing, Perloff, Wood, Nettles, Edington, Collins (W) and Marr:

H. J. R. 140. WHEREAS, Kenneth R. Giddens of Mobile has just been appointed by President Richard M. Nixon as head of the Voice of America, and

WHEREAS, Mr. Giddens has had long experience in radio and television as President of WKRG Radio and Television in Mobile, and has been extremely active in international relations throughout many years, having made many trips abroad and indeed all over the world to foster betterment of relations between the United States of America and all other countries, and

WHEREAS, the Voice of America has studios in Washington, D. C. and a shortwave radio network with base transmitter broadcasting directly to overseas listeners and feeding relay stations, with estimated overseas audiences in the tens of millions, and

WHEREAS, Mr. Giddens' appointment runs indefinitely and avails the American public of his experience and interest, which has been shown by his presidency of the Alabama Broadcasters Association in

1961-1962 and as a member of the the Board of the National Broadcasters Association from 1962 to 1965, and

WHEREAS, Mr. Giddens' financial ability has been shown throughout the years as a developer of Bel Air Mall in Mobile and other business interests, having also been a member of the Board of the New Orleans Branch of the Federal Reserve Bank of Atlanta for six years, also serving as Chairman of that Board,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That Mr. Kenneth R. Giddens be commended on this most important assignment, and that the Voice of America be commended for obtaining the talents of this versatile Alabamian, and that this resolution be spread upon the pages of the Journal and a copy be sent to Mr. Giddens.

On motion of Mrs. Collins (C), the rules were suspended and H. J. R. 140 was adopted.

Also:

By Messrs. McCorquodale, Fite, Adwell, Agee, Beck, Berryman (W), Brannan, Brassell, Brown, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holman, House, Jackson (T), Jones, Laxson, Lemley, Lyons, Malone, Manley, Marr, Mays, McElhaney, McLain, Meade, Melton, Money, Nettles, Neville, Owen (Baldwin), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Smith, Springer, Starnes, Stembridge, Stubbs, Tuck, Waggoner, Williams, Wood, Yeilding, Young.

H. J. R. 141. WHEREAS our beloved colleague Representative L. Gardner Bassett has served this state with the most profound dedication for many years; and

WHEREAS Representative Bassett's devotion to the protection of the democratic processes here in Alabama has caused him never to miss a roll call during 20 years service in the Legislature; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That this body commends Representative Bassett for his exemplary conduct and constant enthusiasm in adhering to the principle of government of the people, by the people and for the people.

On motion of Mr. McCorquodale, the rules were suspended and H. J. R. 141 was adopted.

MOTION TO BRING UP H. 1530

On motion of Mr. Dill, the rules were suspended and permission granted to bring up out of order the bill, H. 1530.

Yeas 44; Nays 10.

Yeas:

Messrs.:	Brassell	Cook (Coffee)	Gloor
Agee	Brown	Culver	Graham
Beck	Burgreen	Dobbs	Grainger
Berryman (W)	Cameron	Downing	Grayson
Blanton	Collins (C)	Edington	Harris
Brannan	Collins (W)	Fine	Higginbotham

Hill	Mays	Owen (Baldwin)	Sessions
Hobbie	McCorquodale	Paulk	Springer
Holman	McElhaney	Pennington	Starnes
Jones	McLain	Perloff	Waggoner
Manley	Neville	Robertson	Yeilding
Marr			—44

Nays:

Messrs.:	Garrett	Nettles	Stembridge
Crawford	Lemley	Pearson	Young
Ellis	Malone	Smith	—10

And the bill:

H. 1530. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Was taken up.

Mr. Cameron offered the following substitute to the bill, H. 1530:

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in cities having a population of not less than 100,000 nor more than 200,000, according to the last federal decennial census, that the free circulation of traffic of all kinds through the streets of said municipalities within this state is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipalities; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipalities, impedes the rapid and effective fighting of fires and disposition of police force, threatens irreparable loss in the values of urban property within said cities which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this act is hereby declared to be a public necessity. This act shall apply only to such cities.

Section 2. The council or other governing body of all cities within the State of Alabama, having a population of not less than 100,000 nor more than 200,000 according to the last federal decennial census, is hereby authorized and empowered to acquire, receive, take and hold,

whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, and equip parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purpose of this act; to receive and accept grants for or in aid of the construction, extension improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body of any such city is hereby specifically authorized to and shall lease any said parking facilities constructed under the provisions of this act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provide that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility; (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith; (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The council or other governing body of any such city shall not be authorized to operate parking facilities constructed under the provisions of this act unless there is a default in payment of rent which has remained unpaid after ten days written notice of such default. In such an event the lease may be terminated and the city may operate such facility until such time as another suitable tenant can be obtained, and that said city shall diligently seek another suitable tenant, and shall not operate the facility for a longer period than the 12th legislative day of the next ensuing regular session of the legislature, after default. After the bonds have been retired and

the indebtedness against the parking facility has been paid in full, the council or other governing body of any such city is hereby authorized and shall sell and convey its interest in said facility upon such terms or conditions as may be adopted by such council or other governing body.

Section 4. The principal of and interest on any bonds and receipts issued under this act shall be secured by a pledge of the revenues out of which such bonds shall be payable solely from revenues derived from the operation of the facilities constructed, in whole or in part, with the proceeds from the sale of said bonds, and may be secured by a mortgage covering all or part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings of mortgage, the terms to be included in the lease of such project, the maintenance and insurance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default to the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this act; provided, however, that in making any such agreement or provisions a city shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by any such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption.

Any refunding bonds issued under the authority of this act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the appropriate provisions of this Act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. Any such city subject to the provisions of this act may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project, provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property nor obligate itself to make any contribution of money or property which would cause such bonds to be debts within the meaning of section 225 of the Constitution of the State of Alabama or bonds within the meaning of section 222 of the Constitution of the State of Alabama.

Section 8. Bonds issued under the provisions of this act shall be legal investments for banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this act nor anything herein contained shall be construed as a restriction or limitation upon any powers which a municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this act shall not be construed as requiring an election by the voters of a municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 3.

Yeas:

Mr. Speaker	Culver	Jones	Pearson
Agee	Dill	Laxson	Pennington
Bassett	Dobbs	Lemley	Perloff
Beck	Downing	Manley	Robertson
Berryman (W)	Drake	Marr	Sessions
Blanton	Gloor	Mays	Shumate
Brannan	Graham	McCorquodale	Smith
Brassell	Grainger	McElhaney	Springer
Burgreen	Grayson	McLain	Starnes
Cameron	Harris	Melton	Steagall
Cherner	Haygood	Merrill	Stubbs
Collier	Headley	Nettles	Williams
Collins (C)	Higginbotham	Neville	Wood
Collins (W)	Hill	Owen (Baldwin)	Wright
Cook (Coffee)	Hobbie	Owens (W)	Yeilding
Cook (Jefferson)	Holladay	Paulk	Young

—64

Nays: Messrs. Gafford, Stembridge and Watkins

—3

And the bill, H. 1530, as thus amended:

Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 4.

Yeas:

Mr. Speaker	Dill	Jones	Pennington
Agee	Dobbs	Laxson	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Drake	Manley	Robertson
Beck	Edington	Marr	Sessions
Berryman (W)	Garrett	Mays	Shumate
Blanton	Gloor	McCorquodale	Springer
Brannan	Graham	McElhaney	Starnes
Brassell	Grainger	McLain	Steagall
Brown	Grayson	Melton	Stubbs
Burgreen	Harris	Merrill	Watkins
Cameron	Haygood	Nettles	Williams
Cherner	Headley	Neville	Wood
Collier	Higginbotham	Owen (Baldwin)	Wright
Collins (W)	Hill	Owens (W)	Yeilding
Cook (Coffee)	Hobbie	Paulk	Young
Culver			

—65

Nays:

Messrs.:	Gafford	Jackson (T)	Stembridge
Collins (C)			

—4

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until twelve o'clock Noon Thursday, August 21, 1969, was lost.

Yeas 9; Nays 66.

Yeas:

Messrs.:	Gafford	Jackson (T)	Watkins	
Burgreen	Grayson	Stembridge	Wright	
Crawford	Holladay			—9

Nays:

Mr. Speaker	Dobbs	Holman	Paulk	
Agee	Doss	House	Pearson	
Bank	Downing	Jones	Pennington	
Bassett	Drake	Laxson	Perloff	
Beck	Edlington	Lemley	Robertson	
Berryman (W)	Ellis	Marr	Sessions	
Blanton	Garrett	Mathews	Shumate	
Brassell	Gloor	Mays	Smith	
Brown	Graham	McCorquodale	Springer	
Cameron	Grainger	McElhanev	Starnes	
Cherner	Hain	McLain	Stubbs	
Collier	Harris	Melton	Waggoner	
Collins (C)	Haygood	Merrill	Williams	
Cook (Coffee)	Headley	Money	Wood	
Cook (Jefferson)	Higginbotham	Nettles	Yeilding	
Culver	Hill	Owen (Baldwin)	Young	
Dill	Hobbie			—66

And the bill:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts of 1953, p. 240); and to provide for the enforcement of this Act, and to fix the date on which said Act shall become effective.

Was read a third time at length and passed.

Yeas 61; Nays 6.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson	
Agee	Drake	Manley	Pennington	
Bank	Fine	Marr	Perloff	
Bassett	Graham	Mathews	Pruitt	
Beck	Grayson	Mays	Sessions	
Berryman (W)	Hain	McCorquodale	Smith	
Blanton	Harris	McLain	Springer	
Brannan	Haygood	Meade	Starnes	
Brassell	Headley	Melton	Steagall	
Burgreen	Hill	Merrill	Stubbs	
Cherner	Hobbie	Nettles	Williams	
Collier	Holladay	Neville	Wood	
Collins (W)	Holman	Owen (Baldwin)	Wright	
Cook (Coffee)	Jones	Owens (W)	Yeilding	
Crawford	Laxson	Paulk	Young	
Culver				—61

Nays:

Messrs.:	Collins (C)	Gafford	Jackson (T)	
Brown	Dill	Garrett		—6

And the bill:

H. 637 (with substitute). Providing for qualified State Highway Department employees to obtain a Master's Degree in Traffic and/or Transportation Engineering.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

PROVIDING FOR QUALIFIED ALABAMA HIGHWAY DEPARTMENT EMPLOYEES TO OBTAIN A MASTER'S DEGREE IN TRAFFIC AND/OR TRANSPORTATION ENGINEERING. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Highway Director may authorize qualified engineers who have obtained their Bachelor's Degree in Civil Engineering from a recognized college or university to attend a recognized graduate curriculum offering the Master's Degree in Traffic and/or Transportation Engineering.

Section 2. Such qualified employees shall have sufficient grade averages and other qualifications to meet entrance requirements for such designated graduate program. The employees shall be paid his normal salary during the course of attendance while in good standing and shall be paid the cost of tuition, the cost of required textbooks and supplies, and travel to and from the institution.

Section 3. The employee, otherwise meeting requirements, shall enter into a contract with the State Highway Department agreeing to remain in the employ of the Department for a minimum of four (4) calendar years subsequent to receipt of graduate degree from the institution of higher learning. The employee may be released before completing the required period of employment only if a situation occurs in which employment would result in undue hardships to the individual or a disadvantage to the Department. Personal convenience or new employment interests will not be occasion for release. If the employee leaves the Department before completing the period of service, financial reimbursement for all tuition, textbooks, supplies and travel must be made to the Department on a prorata basis for the period of time remaining to be served under the contract. Provided, however, that death, injury or physical incapacitations on the part of the individual shall not be considered to be a breach of the contract.

Section 4. The Training Officer, the Research and Development Engineer, and the Chief Engineer of the Highway Department shall obtain an approved institution of higher learning where curriculum in the graduate program in Traffic and Transportation Engineering is deemed adequate and satisfactory.

Section 5. No more than two (2) individuals will concurrently be instituted into such educational programs.

Section 6. Cost of administering such scholarship programs shall be borne from funds as paid other Alabama Highway Department employees.

Section 7. The Highway Director shall appoint a committee to select approved candidates for the graduate training program.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Downing	Jones	Paulk
Bassett	Drake	Laxson	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (W)	Fine	Manley	Sessions
Blanton	Garrett	Marr	Smith
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
Burgreen	Hain	McLain	Stembridge
Cherner	Harris	Meade	Stubbs
Collier	Haygood	Melton	Williams
Collins (W)	Headley	Merrill	Wood
Cook (Coffee)	Higginbotham	Money	Wright
Crawford	Hill	Nettles	Yeilding
Culver	Hobbie	Neville	Young

—68

And the bill, H. 637, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pennington
Bassett	Gafford	Malone	Perloff
Beck	Garrett	Manley	Sessions
Berryman (W)	Graham	Marr	Smith
Brannan	Grainger	Mathews	Springer
Brassell	Grayson	Mays	Starnes
Burgreen	Hain	McCorquodale	Steagall
Cherner	Harris	McLain	Stembridge
Collier	Haygood	Melton	Stubbs
Collins (W)	Headley	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Holman	Neville	Wright
Dill	Jackson (T)	Owen (Baldwin)	Yeilding
Downing	Jones	Owens (W)	Young
Drake			

—65

And the bill:

H. 638 (with substitute). To encourage and promote the development of traffic engineering for the safe, convenient and economical movement of people and goods on public highways and streets; to provide for the employment of a staff of traffic engineers within the High-

way Department; and to provide for a traffic engineering planning and implementation program for the counties, cities and towns.

Was taken up.

The question was on the adoption of the substitute offered by the Standing Committee on Judiciary, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To encourage and promote the development of traffic engineering for the safe, convenient and economical movement of people and goods on public highways and streets; to provide for the employment of a staff of traffic engineers within the Highway Department; and to provide for a traffic engineering planning and implementation program for the counties, cities and towns.

Be It Enacted by the Legislature of Alabama:

"Section 1. The Highway Director shall provide a staff of traffic engineers within the Highway Department, including at least one traffic engineer in each division office with such assistance as necessary, subject to the State Merit System law, to plan, promote and assist in the installation of a uniform system of traffic control devices for the public highways and streets of the state, which system shall conform, as nearly as practicable, with the system or systems recommended by the American Association of State Highway Officials. The Highway Department shall adopt a manual of specifications, meeting the standards of the United States Bureau of Public Roads, for a uniform system of traffic control devices for use upon all public roads and streets within the state. Upon approval by the Highway Director, the manual, as provided herein, shall be the standard for design and installation of all traffic control devices used on the public roads and streets of this state.

Section 2. The Highway Department shall cooperate when requested and give advice in the development and implementation of a traffic engineering planning program for the several counties and municipalities. It shall be the duty of the governing body of each county or municipality to provide such a program in compliance with the manual adopted by the Highway Department and to fulfill the requirements herein set out.

Section 3. In cities and towns the traffic engineering function shall be specifically defined as a definite and identifiable responsibility assigned to a municipal office, department or officer by ordinance duly adopted.

(a) In cities and towns having populations of less than 50,000, the responsibility of traffic engineering shall be assigned to the city engineer or to the mayor or chief law enforcement officer if there is no city engineer.

(b) In cities having populations of 50,000 or more, the traffic engineering function shall be assigned to a special department of the city government, which department shall be provided a separate budget and special authority commensurate with that given other major departments of the city government.

In counties the traffic engineering function shall be assigned by the county governing body by resolution or ordinance to the office of the county engineer or to the chief administrative officer of the county

road department. The engineer or the administrative officer of the road department shall have county-wide authority and responsibility in the administration of the requirements of this act.

Section 4. This Act is cumulative. It shall take effect immediately upon its enactment.

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Agee	Drake	Lemley	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Gafford	Manley	Robertson
Berryman (W)	Garrett	Marr	Sessions
Blanton	Graham	Mathews	Smith
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McLain	Steagall
Burgreen	Harris	Melton	Stembridge
Cherner	Haygood	Merrill	Stubbs
Collier	Headley	Money	Waggoner
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wood
Crawford	Hobbie	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill	Jackson (T)	Pearson	Young
Dobbs	Jones		

—70

And the bill, H. 638, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones	Pearson
Agee	Downing	Laxson	Pennington
Bassett	Drake	Lemley	Perloff
Beck	Fine	Malone	Pruitt
Berryman (W)	Gafford	Manley	Sessions
Blanton	Garrett	Marr	Smith
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
Burgreen	Hain	McLain	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dill	Holman	Owens (W)	Young
Dobbs	Jackson (T)	Paulk	

—71

And the bill:

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Adwell	Doss	Jones	Pearson
Agee	Downing	Laxson	Pennington
Bassett	Drake	Lemley	Perloff
Beck	Ellis	Malone	Pruitt
Berryman (W)	Fine	Manley	Robertson
Blanton	Gafford	Marr	Sessions
Brannan	Garrett	Mathews	Shumate
Brassell	Gloor	Mays	Smith
Burgreen	Grainger	McCorquodale	Springer
Cameron	Grayson	McElhaney	Starnes
Cherner	Hain	McLain	Steagall
Collier	Harris	Melton	Stembridge
Collins (C)	Headley	Merrill	Waggoner
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wood
Crawford	Hobbie	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill			

—73

MOTION TO BRING UP S. 645

On motion of Mr. Edington, the rules were suspended and permission granted to bring up out of order the bill, S. 645.

Yeas 60; Nays 8.

Yeas:

Messrs.:	Doss	Laxson	Pennington
Agee	Downing	Lemley	Pruitt
Bassett	Edington	Malone	Sessions
Beck	Ellis	Manley	Shumate
Berryman (W)	Garrett	Marr	Smith
Blanton	Graham	Mays	Springer
Brannan	Grainger	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgreen	Hain	McLain	Stubbs
Cherner	Harris	Melton	Waggoner
Collier	Haygood	Money	Williams
Collins (C)	Higginbotham	Nettles	Wood
Collins (W)	Hill	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	Jones	Pearson	Young
Dobbs			

—60

Nays:

Mr. Speaker	Gafford	Hobbie	Merrill
Crawford	Headley	Jackson (T)	Stembridge

—8

And the bill:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bassett	Edington	Jones	Pearson
Beck	Ellis	Laxson	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Gafford	Malone	Sessions
Brannan	Garrett	Marr	Shumate
Brassell	Gloor	Mays	Smith
Brown	Graham	McCorquodale	Starnes
Burgreen	Grainger	McElhaney	Steagall
Cameron	Grayson	McLain	Stembridge
Cherner	Hain	Meade	Stubbs
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs			

—73

MOTION TO BRING UP H. 205

On motion of Mr. Culver, the rules were suspended and permission granted to bring up out of order the bill, H. 205.

Yeas 47, Nays 10.

Yeas:

Messrs.:	Collins (W)	Holman	Perloff
Agee	Cook (Coffee)	Jones	Pruitt
Bassett	Culver	Manley	Robertson
Beck	Dobbs	Marr	Sessions
Berryman (W)	Downing	Mays	Shumate
Brannan	Edington	McCorquodale	Smith
Brassell	Garrett	McElhaney	Starnes
Brown	Graham	McLain	Steagall
Burgreen	Grainger	Money	Stubbs
Cameron	Grayson	Nettles	Waggoner
Collier	Higginbotham	Owens (W)	Watkins
Collins (C)	Hill	Paulk	Wood

—47

Nays:

Messrs.:	Gafford	Malone	Pennington
Crawford	Harris	Merrill	Yeilding
Dill	Jackson (T)	Neville	

—10

And the bill:

H. 205 (with substitute). To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373. of Acts of the Legislature of 1955. Volume II, page 898. approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373 of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated by any funds from the State Treasury, not otherwise appropriated, the sum of \$110,000.00 to be used to complete the building and equipping a Fire Training Center in connection with the operation of the Alabama State Fire College created by the Legislature of Alabama by Act No. 373 of the Legislature of Alabama of 1955, page No. 898 of Volume II of the General Acts of Alabama of 1955, approved September 8, 1955.

Section 2. This Fire Training Center is being built and equipped under supervision of the State Building Commission, and is located on the Northington Campus of the University of Alabama, and any of this appropriation not required for the building and equipment of the Fire Training Center shall revert back to the Treasury of the State of Alabama.

Section 3. The appropriation herein made shall be conditional upon the condition of the State General Fund and with the approval of the Governor.

Section 4. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bassett	Edington	Manley	Robertson
Beck	Fine	Marr	Sessions
Berryman (W)	Garrett	Mays	Shumate
Brannan	Graham	McCorquodale	Smith
Brassell	Grayson	McElhaney	Starnes
Brown	Hain	Melton	Steagall
Burgreen	Headley	Merrill	Stembridge
Cameron	Higginbotham	Money	Stubbs
Collier	Hill	Nettles	Waggoner
Collins (C)	Hobbie	Owen (Baldwin)	Williams
Collins (W)	Holman	Owens (W)	Wood
Culver	Jackson (T)	Paulk	Yeilding
Dill	Jones	Pearson	

—59

Nays:

Messrs.:	Gafford	Harris	Malone
Crawford			

—4

And the bill, H. 205, as thus amended:

To make a conditional appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373 of Acts of the Legislature of 1955, Volume II, page 898, approved Sep-

tember 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bassett	Edington	Manley	Robertson
Beck	Fine	Marr	Sessions
Berryman (W)	Garrett	Mays	Shumate
Brannan	Graham	McCorquodale	Smith
Brassell	Grayson	McElhaney	Starnes
Brown	Hain	Melton	Steagall
Burgreen	Headley	Merrill	Stembridge
Cameron	Higginbotham	Money	Stubbs
Collier	Hill	Nettles	Waggoner
Collins (C)	Hobbie	Owen (Baldwin)	Williams
Collins (W)	Holman	Owens (W)	Wood
Culver	Jackson (T)	Paulk	Yeilding
Dill	Jones	Pearson	—59

Nays:

Messrs.:	Gafford	Harris	Malone
Crawford			—4

MOTION TO BRING UP H. 950 LOST

The motion of Mr. Starnes to suspend the rules and bring up out of order the bill, H. 950, was lost.

Yeas 44; Nays 14.

Yeas:

Messrs.:	Collins (C)	Hain	Nettles
Agee	Collins (W)	Higginbotham	Paulk
Bassett	Cook (Coffee)	Holman	Perloff
Beck	Culver	Jones	Robertson
Berryman (W)	Dill	Malone	Sessions
Blanton	Dobbs	Manley	Shumate
Brannan	Fine	Marr	Smith
Brassell	Garrett	Mays	Stubbs
Brown	Graham	McElhaney	Turnham
Burgess	Grainger	McLain	Williams
Burgreen	Grayson	Melton	Wood
Collier			—44

Nays:

Mr. Speaker	Gloor	Jackson (T)	Pennington
Cherner	Harris	Merrill	Stembridge
Crawford	Hill	Owen (Baldwin)	Yeilding
Gafford	Hobbie		—14

MOTION TO BRING UP S. 384 LOST

The motion of Mr. Watkins to suspend the rules and bring up out of order the bill, S. 384, was lost.

Yeas 20; Nays 30.

Yeas:

Messrs.:	Burgess	Hill	Paulk
Berryman (W)	Cook (Coffee)	Holman	Robertson
Blanton	Dill	Jones	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grayson	McLain	Stubbs
Brown			

—20

Nays:

Messrs.:	Grainger	McElhaney	Perloff
Beck	Harris	Meade	Pruitt
Cameron	Haygood	Melton	Shumate
Collins (C)	Headley	Money	Springer
Crawford	Hobbie	Nettles	Stembridge
Gafford	Jackson (T)	Owen (Baldwin)	Wood
Garrett	Malone	Owens (W)	Yeilding
Gloor	Manley	Pennington	

—30

And the bill:

S. 604. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

Was read a third time at length and passed.

Yeas 63; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Holman	Pennington
Agee	Downing	Jones	Perloff
Bank	Ellis	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Garrett	Malone	Sessions
Blanton	Gloor	Manley	Shumate
Brannan	Graham	Marr	Smith
Brassell	Grainger	Mays	Springer
Burgess	Grayson	McLain	Starnes
Burgreen	Hain	Meade	Steagall
Cherner	Harris	Melton	Stembridge
Collier	Haygood	Money	Stubbs
Collins (C)	Headley	Owen (Baldwin)	Williams
Collins (W)	Higginbotham	Owens (W)	Wood
Cook (Jefferson)	Hill	Paulk	Yeilding
Dill	Hobbie	Pearson	

—63

Nays: Messrs. Berryman (W), Cook (Coffee) and Crawford —3

And the bill:

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

Was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hobbie	Owen (Baldwin)
Agee	Dill	Holman	Owens (W)
Bank	Dobbs	Jackson (T)	Pearson
Bassett	Downing	Laxson	Pennington
Beck	Fine	Lemley	Perloff
Blanton	Gafford	Malone	Robertson
Brannan	Garrett	Manley	Sessions
Brassell	Gloor	Marr	Shumate
Brown	Grayson	Mays	Smith
Burgreen	Hain	McElhaney	Springer
Cherner	Harris	McLain	Starnes
Collier	Haygood	Meade	Stubbs
Collins (C)	Headley	Melton	Williams
Collins (W)	Higginbotham	Money	Yeilding
Cook (Coffee)	Hill		

—58

And the bill:

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Owens (W)
Agee	Dill	Hobbie	Pearson
Bank	Dobbs	Holman	Pennington
Bassett	Downing	Jackson (T)	Perloff
Beck	Edington	Laxson	Robertson
Blanton	Ellis	Lemley	Smith
Brannan	Fine	Malone	Springer
Brassell	Garrett	Manley	Starnes
Brown	Grainger	Marr	Steagall
Burgreen	Grayson	Mays	Stembridge
Collier	Hain	McLain	Stubbs
Collins (C)	Harris	Meade	Williams
Collins (W)	Haygood	Melton	Wood
Cook (Coffee)	Headley	Money	Yeilding
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	

—59

And the bill:

S. 607. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Beck	Burgreen	Cook (Jefferson)
Agee	Brannan	Collins (C)	Crawford
Bank	Brassell	Collins (W)	Dill
Bassett	Brown	Cook (Coffee)	Dobbs

Downing	Headley	Mays	Robertson
Edington	Higginbotham	McLain	Sessions
Ellis	Hill	Meade	Smith
Fine	Hobbie	Melton	Springer
Garrett	Jackson (T)	Money	Starnes
Graham	Jones	Owen (Baldwin)	Steagall
Grainger	Laxson	Owens (W)	Stembridge
Grayson	Lemley	Paulk	Stubbs
Hain	Malone	Pearson	Turnham
Harris	Manley	Pennington	Williams
Haygood	Marr	Perloff	Yeilding

—60

And the bill:

S. 724. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Dallas County for the Department of Public Safety.

Was read a third time at length and passed.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Hill	Owen (Baldwin)
Agee	Doss	Hobbie	Owens (W)
Bassett	Downing	Holman	Paulk
Beck	Drake	Jackson (T)	Pearson
Berryman (W)	Edington	Jones	Pennington
Blanton	Ellis	Laxson	Perloff
Brannan	Fine	Lemley	Robertson
Brassell	Gafford	Malone	Sessions
Brown	Garrett	Manley	Smith
Burgess	Graham	Mathews	Springer
Burgreen	Grainger	Mays	Starnes
Collier	Grayson	McCorquodale	Steagall
Cook (Coffee)	Hain	McLain	Stembridge
Cook (Jefferson)	Harris	Meade	Stubbs
Crawford	Haygood	Melton	Turnham
Culver	Headley	Money	Williams
Dill	Higginbotham	Nettles	

—67

Nay: Mr. Marr.

—1

And the bill:

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Collins (W)	Ellis	Haygood
Agee	Cook (Coffee)	Fine	Headley
Bassett	Cook (Jefferson)	Gafford	Higginbotham
Beck	Crawford	Garrett	Hill
Blanton	Dill	Graham	Hobbie
Brannan	Dobbs	Grainger	Holman
Brassell	Downing	Grayson	Jackson (T)
Brown	Drake	Hain	Jones
Collier	Edington	Harris	Laxson

Lemley	McLain	Pearson	Steagall
Malone	Meade	Pennington	Stembridge
Manley	Money	Perloff	Stubbs
Marr	Nettles	Robertson	Turnham
Mathews	Owen (Baldwin)	Sessions	Williams
Mays	Owens (W)	Smith	Wood
McCorquodale	Paulk	Starnes	Yeilding
McElhaney			—65

Nay: Mr. Melton —1

And the bill:

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Downing	Hobbie	Owens (W)
Agee	Drake	Holman	Paulk
Bassett	Edgington	Jackson (T)	Pearson
Beck	Ellis	Jones	Pennington
Berryman (W)	Fine	Laxson	Perloff
Blanton	Gafford	Malone	Robertson
Brannan	Garrett	Manley	Sessions
Brassell	Graham	Marr	Smith
Brown	Grainger	Mathews	Starnes
Burgess	Grayson	Mays	Steagall
Collier	Hain	McCorquodale	Stembridge
Collins (W)	Harris	McElhaney	Stubbs
Cook (Coffee)	Haygood	Meade	Turnham
Crawford	Headley	Money	Williams
Culver	Higginbotham	Nettles	Wood
Dill	Hill	Owen (Baldwin)	Yeilding
Dobbs			—65

Nay: Mr. Melton —1

And the bill:

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

Was read a third time at length and passed.

Yeas 66; Nay 1.

Yeas:

Mr. Speaker	Collins (W)	Ellis	Headley
Agee	Cook (Coffee)	Fine	Higginbotham
Bassett	Cook (Jefferson)	Gafford	Hill
Beck	Crawford	Garrett	Hobbie
Berryman (W)	Culver	Graham	Holman
Blanton	Dill	Grainger	Jackson (T)
Brannan	Dobbs	Grayson	Jones
Brassell	Downing	Hain	Laxson
Brown	Drake	Harris	Lemley
Collier	Edgington	Haygood	Manley

Marr	Money	Perloff	Steagall	
Mathews	Nettles	Pruitt	Stembridge	
Mays	Owen (Baldwin)	Robertson	Stubbs	
McCorquodale	Owens (W)	Sessions	Williams	
McElhaney	Paulk	Smith	Wood	
McLain	Pearson	Starnes	Yeilding	—66
Meade	Pennington			
Nay:	Mr. Melton			—1

MOTION TO BRING UP H. 1422 LOST

The motion of Mr. Marr to suspend the rules and bring up the bill, H. 1422, was lost.

Yeas 35; Nays 19.

Yeas:

Messrs.:	Collier	Grainger	Owen (Baldwin)	
Agee	Collins (W)	Grayson	Paulk	
Bassett	Culver	Harris	Perloff	
Beck	Dill	Hill	Robertson	
Blanton	Dobbs	Holman	Sessions	
Brannan	Downing	Jones	Smith	
Brassell	Edington	Marr	Waggoner	
Burgess	Ellis	Mays	Williams	
Burgreen	Graham	Meade	Wood	—35

Nays:

Mr. Speaker	Headley	Merrill	Pearson	
Crawford	Jackson (T)	Money	Pennington	
Gafford	Lemley	Nettles	Springer	
Garrett	McCorquodale	Neville	Stembridge	—19
Hain	Melton	Owens (W)		

MOTION TO BRING UP H. 79

On motion of Mr. Cherner, the rules were suspended and permission granted to bring up out of order the bill, H. 79.

Yeas 39; Nays 8.

Yeas:

Messrs.:	Dill	Jackson (T)	Robertson	
Agee	Doss	Jones	Sessions	
Blanton	Edington	Marr	Smith	
Brannan	Ellis	Mays	Springer	
Brassell	Graham	McLain	Steagall	
Brown	Grainger	Melton	Stubbs	
Collier	Grayson	Money	Waggoner	
Collins (C)	Harris	Nettles	Williams	
Collins (W)	Hill	Owens (W)	Wood	
Culver	Holman	Perloff	Yeilding	—39

Nays:

Mr. Speaker	Crawford	Garrett	Pennington	
Beck	Gafford	Meade	Stembridge	—8

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 79 (with amendment). To require the Chief Examiner of Public Accounts, with the consent of the Legislative Committee on Public Accounts, to appoint independent auditors under certain conditions; to provide for the performance of such audits and the effect thereof; and to provide for payment of such audits and an appropriation for such payments for the biennium ending September 30, 1969 and the biennium ending September 30, 1971.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 3 of said bill to read as follows: "Section 3. The cost and expense of examinations and audits performed under the provisions of this act shall be paid out of funds appropriated to the Department of Examiners of Public Accounts."

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Headley	Nettles
Adwell	Crawford	Higginbotham	Owen (Baldwin)
Agee	Culver	Hill	Owens (W)
Bassett	Dill	Holman	Pearson
Beck	Doss	House	Pennington
Berryman (W)	Downing	Jackson (T)	Perloff
Blanton	Edington	Jones	Robertson
Brannan	Ellis	Lemley	Sessions
Brassell	Fine	Marr	Smith
Brown	Gafford	Mathews	Springer
Burgreen	Garrett	Mays	Steagall
Cherner	Graham	McLain	Stembridge
Collier	Grainger	Meade	Stubbs
Collins (C)	Hain	Melton	Williams
Collins (W)	Harris	Merrill	Wood
Cook (Coffee)	Haygood	Money	Yeilding

—64

And the bill, H. 79, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collier	Culver
Adwell	Brannan	Collins (C)	Dill
Agee	Brassell	Collins (W)	Doss
Bassett	Brown	Cook (Coffee)	Downing
Beck	Burgreen	Cook (Jefferson)	Edington
Berryman (W)	Cherner	Crawford	Ellis

Fine	Hill	Meade	Robertson
Gafford	Holman	Melton	Sessions
Garrett	House	Merrill	Smith
Graham	Jackson (T)	Money	Springer
Grainger	Jones	Nettles	Steagall
Hain	Lemley	Owen (Baldwin)	Stembridge
Harris	Marr	Owens (W)	Stubbs
Haygood	Mathews	Pearson	Williams
Headley	Mays	Pennington	Wood
Higginbotham	McLain	Perloff	Yeilding

—64

MOTION TO BRING UP H. 430

On motion of Mr. Neville, the rules were suspended and permission granted to bring up out of order the bill, H. 430.

Yeas 45; Nays 7.

Yeas:

Messrs.:	Collins (W)	Grainger	Melton
Adwell	Cook (Jefferson)	Grayson	Nettles
Agee	Crawford	Harris	Neville
Bassett	Culver	Higginbotham	Owens (W)
Beck	Dill	Hill	Robertson
Berryman (W)	Dobbs	Holman	Sessions
Blanton	Doss	House	Steagall
Brannan	Downing	Jones	Stembridge
Brassell	Edington	Marr	Stubbs
Brown	Ellis	Mathews	Waggoner
Collier	Garrett	Mays	Wood
Collins (C)	Graham		

—45

Nays:

Messrs.:	Gafford	Jackson (T)	Springer
Burgreen	Haygood	Money	Yeilding

—7

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 430. To make it unlawful to impersonate a police officer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Downing
Adwell	Brassell	Cook (Jefferson)	Edington
Agee	Brown	Crawford	Ellis
Bassett	Burgreen	Culver	Fine
Beck	Cherner	Dill	Gafford
Berryman (W)	Collier	Dobbs	Garrett
Blanton	Collins (W)	Doss	Graham

Grainger	Jones	Nettles	Smith
Hain	Lemley	Neville	Springer
Harris	Manley	Owen (Baldwin)	Steagall
Haygood	Marr	Owens (W)	Stembridge
Headley	Mathews	Pearson	Stubbs
Higginbotham	Mays	Pennington	Tuck
Hill	Meade	Perloff	Williams
Holman	Melton	Robertson	Wood
House	Merrill	Sessions	Yeilding
Jackson (T)	Money		

—66

And the bill:

S. 223. To amend Section 19 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Was read a third time at length and passed.

Yeas 53; Nays 3.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Mathews
Adwell	Crawford	Grayson	Mays
Bassett	Culver	Harris	Merrill
Beck	Dill	Haygood	Money
Berryman (W)	Dobbs	Headley	Owens (W)
Blanton	Doss	Higginbotham	Pearson
Brannan	Downing	Hill	Pennington
Brassell	Edington	Holman	Robertson
Brown	Ellis	Jackson (T)	Smith
Burgess	Fine	Jones	Springer
Burgreen	Gafford	Lemley	Steagall
Cherner	Garrett	Malone	Stubbs
Collier	Graham	Manley	Tuck
Collins (C)			

—53

Nays: Messrs. Meade, Pruitt and Williams

—3

And the bill:

S. 242. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

Was read a third time at length and passed.

Yeas 62; Nay 1.

Yeas:

Mr. Speaker	Collier	Gafford	Hill
Bassett	Collins (C)	Garrett	Hobbie
Berryman (W)	Collins (W)	Graham	Holman
Blanton	Cook (Jefferson)	Grainger	House
Brannan	Crawford	Grayson	Jackson (T)
Brassell	Dill	Hain	Jones
Brown	Dobbs	Harris	Lemley
Burgess	Downing	Haygood	Malone
Burgreen	Ellis	Headley	Manley
Cherner	Fine	Higginbotham	Marr

Mathews	Money	Robertson	Stembridge	
Mays	Nettles	Sessions	Stubbs	
McCorquodale	Owen ^(Baldwin)	Smith	Tuck	
McElhaney	Owens (W)	Springer	Turnham	
Meade	Pearson	Steagall	Yeilding	—62
Merrill	Perloff			
Nay:	Mr. McLain			—1

MOTION TO INDEFINITELY POSTPONE H. 454

On motion of Mr. Beck, the bill, H. 454, was indefinitely postponed.

MOTION TO BRING UP H. 592

On motion of Mr. Agee, the rules were suspended and permission granted to bring up out of order the bill, H. 592.

Yeas 59; Nays 3.

Yeas:

Messrs.:	Dobbs	Jackson (T)	Pennington	
Agee	Doss	Jones	Perloff	
Berryman (W)	Downing	Malone	Pruitt	
Blanton	Ellis	Manley	Robertson	
Brannan	Gafford	Marr	Sessions	
Brassell	Garrett	McCorquodale	Springer	
Brown	Graham	McElhaney	Steagall	
Burgess	Grainger	McLain	Stembridge	
Burgreen	Grayson	Melton	Stubbs	
Cherner	Harris	Money	Tuck	
Collier	Haygood	Nettles	Turnham	
Collins (C)	Higginbotham	Neville	Waggoner	
Collins (W)	Hill	Owen ^(Baldwin)	Williams	
Crawford	Hobbie	Owens (W)	Wood	
Dill	Holman	Paulk	Yeilding	—59

Nays: Messrs. Cook (Jefferson), Mays and Pearson —3

And the bill:

H. 592. To provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collier	Gafford	Holman
Adwell	Collins (W)	Garrett	House
Agee	Cook ^(Coffee)	Graham	Jackson (T)
Beck	Cook (Jefferson)	Grainger	Jones
Berryman (W)	Crawford	Grayson	Lemley
Blanton	Dill	Hain	Manley
Brannan	Dobbs	Harris	Marr
Brassell	Doss	Haygood	Mays
Brown	Downing	Headley	McCorquodale
Burgreen	Drake	Higginbotham	McElhaney
Cameron	Ellis	Hill	Melton
Cherner	Fine	Hobbie	Money

Nettles	Pennington	Smith	Tuck
Neville	Perloff	Springer	Turnham
Owen (Baldwin)	Pruitt	Steagall	Waggoner
Owens (W)	Robertson	Stembridge	Wood
Pearson	Sessions	Stubbs	Yeilding

—68

MOTION TO BRING UP H. 1522

On motion of Mr. Grayson, the rules were suspended and permission granted to bring up out of order the bill, H. 1522.

Yeas 32; Nays 8.

Yeas:

Messrs.:	Dobbs	Hill	Owen (Baldwin)
Beck	Downing	Holman	Owens (W)
Berryman (W)	Ellis	Jackson (T)	Pearson
Brannan	Gafford	Jones	Perloff
Brassell	Graham	Marr	Robertson
Burgreen	Grainger	Mays	Steagall
Collier	Grayson	Melton	Stubbs
Collins (W)	Higginbotham	Neville	Wood
Dill			

—32

Nays:

Mr. Speaker	Harris	Malone	Money
Cook (Jefferson)	Haygood	Meade	Tuck

—8

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1522. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 3.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Adwell	Ellis	Jones	Owens (W)
Beck	Fine	Lemley	Pearson
Berryman (W)	Garrett	Manley	Pennington
Brannan	Grainger	Marr	Perloff
Burgreen	Grayson	Mays	Robertson
Collier	Hain	McElhaney	Sessions
Collins (C)	Harris	Meade	Steagall
Collins (W)	Haygood	Melton	Stubbs
Cook (Jefferson)	Higginbotham	Merrill	Tuck
Dill	Hill	Nettles	Turnham
Dobbs	Holman	Neville	Wood

—48

Nays: Messrs. Crawford, Money and Stembridge

—3

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO BRING UP H. 1436 LOST

The motion of Mr. Burgess to suspend the rules and bring up out of order the bill, H. 1436, was lost.

Yeas 22; Nays 22.

Yeas:

Messrs.:	Cherner	Ellis	Robertson	
Agee	Collins (C)	Garrett	Starnes	
Blanton	Cook (Jefferson)	Hobbie	Steagall	
Brannan	Dill	Melton	Watkins	
Brassell	Dobbs	Pennington	Wood	
Cameron	Downing	Pruitt		—22

Nays:

Mr. Speaker	Gloor	Laxson	Nettles	
Beck	Graham	Lemley	Neville	
Berryman (W)	Harris	Marr	Perloff	
Crawford	Haygood	McElhaney	Stembridge	
Fine	Higginbotham	Meade	Yeilding	
Gafford	Hill			—22

And the bill:

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Was read a third time at length and passed.

Yeas 63; Nays 2.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Owens (W)	
Agee	Fine	Jones	Paulk	
Beck	Gafford	Laxson	Pearson	
Berryman (W)	Garrett	Lemley	Pennington	
Blanton	Gloor	Manley	Perloff	
Brannan	Graham	Marr	Pruitt	
Brassell	Grainger	Mathews	Sessions	
Burgreen	Grayson	Mays	Shumate	
Cameron	Hain	McElhaney	Smith	
Cherner	Harris	McLain	Starnes	
Collier	Haygood	Meade	Stubbs	
Cook (Jefferson)	Headley	Melton	Tuck	
Dill	Higginbotham	Merrill	Williams	
Dobbs	Hill	Money	Wood	
Downing	Hobbie	Nettles	Yeilding	
Drake	Holman	Neville		—63

Nays: Messrs. Steagall and Watkins

—2

And the bill:

H. 844 (with amendments). To authorize and provide for the removal of certain governmental restrictions regulating the use and development of private property adjacent and abutting controlled access highways at points of ingress and egress, defining such terms, the repeal of laws inconsistent herewith, and for other purposes.

Was taken up.

The question was on the adoption of amendment #1 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Section 2(c) of House Bill 844 is amended by adding the following to the end thereof as follows:

"Provided, that nothing in this Act shall extend the right of ingress or egress within the limits of denied access as designated and defined by the Alabama State Highway Department as otherwise provided by law."

And the amendment was adopted.

Yeas 58; Nays 5.

Yeas:

Mr. Speaker	Fine	Marr	Perloff
Agee	Garrett	Mays	Pruitt
Beck	Graham	McCorquodale	Sessions
Berryman (W)	Grainger	McElhaney	Shumate
Blanton	Grayson	Meade	Smith
Brannan	Hain	Melton	Springer
Brassell	Harris	Merrill	Starnes
Cameron	Haygood	Nettles	Steagall
Collier	Headley	Neville	Stubbs
Collins (W)	Higginbotham	Owen (Baldwin)	Tuck
Crawford	Hill	Owens (W)	Waggoner
Dobbs	Hobbie	Paulk	Williams
Downing	Jones	Pearson	Wood
Drake	Laxson	Pennington	Yeilding
Ellis	Lemley		

—58

Nays:

Messrs.:	Culver	Gafford	Jackson (T)
Cherner	Dill		

—5

The question, then, was on the adoption of amendment #2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Section 2 (b) of HB 844 is hereby amended by deleting the words "any municipality".

Section 3 of HB 844 is hereby amended by adding at the end of said Section 3 the following:

And provided further that the provisions herein shall not apply to any property over which any municipality is otherwise exercising its zoning authority.

And the amendment was adopted.

Yeas 56; Nays 8.

Yeas:

Mr. Speaker	Downing	Marr	Pruitt
Agee	Drake	Mays	Sessions
Beck	Fine	McElhaney	Shumate
Berryman (W)	Garrett	Meade	Smith
Blanton	Graham	Melton	Springer
Brannan	Grayson	Merrill	Starnes
Brassell	Hain	Nettles	Steagall
Burgreen	Harris	Neville	Stembridge
Cameron	Haygood	Owen (Baldwin)	Stubbs
Collier	Headley	Owens (W)	Tuck
Collins (W)	Higginbotham	Paulk	Waggoner
Cook (Jefferson)	Hill	Pearson	Williams
Crawford	Jones	Pennington	Wood
Dobbs	Lemley	Perloff	Yeilding

—56

Nays:

Messrs.:	Dill	Gloor	Jackson (T)
Cherner	Gafford	Holman	Robertson
Culver			

—8

And the bill, H. 844, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 12.

Yeas:

Mr. Speaker	Fine	Manley	Perloff
Agee	Garrett	Marr	Pruitt
Bassett	Graham	Mays	Sessions
Beck	Grainger	McElhaney	Shumate
Berryman (W)	Grayson	Meade	Springer
Blanton	Hain	Melton	Starnes
Brannan	Harris	Merrill	Steagall
Brassell	Haygood	Nettles	Stubbs
Burgreen	Headley	Owen (Baldwin)	Tuck
Cameron	Higginbotham	Owens (W)	Turnham
Collier	Hill	Paulk	Waggoner
Collins (W)	Jones	Pearson	Williams
Dobbs	Laxson	Pennington	Wood
Downing	Lemley		

—54

Nays:

Messrs.:	Dill	Holman	Smith
Cherner	Gafford	Jackson (T)	Stembridge
Crawford	Gloor	Robertson	Yeilding
Culver			

—12

MOTION ON ADJOURNMENT

On motion of Mr. Turnham, the House voted that when they adjourn today they would adjourn until 1:30 P.M. on Thursday, August 21, 1969.

And the bill:

H. 89 (with substitute) (with amendment). Regulating the ac-

quisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Concerning the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. As used in this act, the following terms shall have the respective meanings hereinafter set forth, unless the context shall otherwise require:

(a) An "affiliate" of, or person "affiliated" with, a specific person, means a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the specific person.

(b) "Superintendent" means the superintendent of insurance and any assistant to the superintendent of insurance designated and authorized by him while acting under such designation.

(c) "Control", "controlled by" or "under common control with" means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or non-management services, or otherwise, unless the power is the result of an official position with the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, ten percent or more of the voting securities of any other person. This presumption may be rebutted by showing pursuant to subsection (b) of section 7 of this act that control does not exist in fact. Such control shall be presumed not to exist where proxies have been obtained by an official of such insurance company solely in connection with voting at an annual or other regular meeting of the stockholders of such insurance company. The Superintendent may, after furnishing all persons in interest notice and opportunity to be heard, determine that control exists in fact, notwithstanding the absence of a presumption to that effect.

(d) An "insurance holding company system" means two or more affiliated persons, one or more of which is an insurance company.

(e) "Insurance company" shall have the meaning set forth in Title 28 Section 40 of the Code of Alabama of 1940, except that it shall not include agencies, authorities or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state.

(f) "Person" means an individual, a corporation, a partnership, an association, a joint stock company, a business trust, an unincorporated organization, any similar entity or any combination of the foregoing acting in concert.

(g) "Subsidiary" of a specified person means an affiliate controlled by such person directly, or indirectly through one or more intermediaries.

Section 2. (a) No person other than the issuer shall make a tender offer for, or a request or invitation for tenders of, enter into any agreement to exchange securities for, seek to acquire, or acquire, in the open market or otherwise, any voting security, or any security convertible into or evidencing a right to acquire a voting security, of a domestic insurance company if, after the consummation thereof, such person would, directly or indirectly, or by conversion or by exercise of any right to acquire, be the beneficial owner of more than ten percent of the voting power of the securities of such domestic insurance company, unless, at the time any form of initial offer, request or invitation is made to securityholders or the agreement is entered into, or prior to the acquisition of such securities if no offer or agreement is involved, such person has filed with the Superintendent and has sent to such insurance company, and such insurance company has sent to its stockholders, a statement containing the information required by subsection (b) of this section and such offer, request, invitation, agreement or acquisition has been approved by the Superintendent as provided in section 4 of this act. Such insurance company shall mail a copy of such statement to its stockholders within thirty days from the receipt of such statement and the expenses of such mailing shall be borne by the person sending such statement to the company. Any person filing a statement with the superintendent under the provisions of this subsection shall deposit with the superintendent a bond, executed by a surety company authorized to do business in this state, in the amount of fifty thousand dollars, conditioned to indemnify the insurance company for expenses incurred in carrying out its duties under this act.

(b) Such statement shall be made under oath or affirmation and shall contain the following information:

(1) The background and identity of the person by whom or on whose behalf the acquisition is to be effected;

(2) The source and amount of the funds or other consideration used or to be used in making the acquisition; a description of any transaction wherein funds were or are to be obtained for the purpose of the acquisition, including the identity of the persons furnishing the funds; and any arrangements, agreements, or understandings with such persons;

(3) Full audited financial information as to the earnings and financial condition of such person for the last preceding five fiscal years of such person and similar unaudited information as of a date not later than ninety days prior to the filing of the statement;

(4) Any plans or proposals which such person may have to liquidate such insurance company, to sell its assets or merge or consolidate it with any person, or to make any other material change in its business or corporate structure or management;

(5) The number of shares of such security which such person proposes to acquire, and the terms of the offer or exchange, as the case may be, and a statement as to the method by which the fairness of the proposal was arrived at;

(6) Information as to any contracts, arrangements or understandings with any person with respect to any securities of such insurance company, including but not limited to transfer of any of the securities, option arrangements, puts or calls, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements

or understandings have been entered into, and setting forth the details thereof;

(7) Information as to any purchases made by such person or any persons affiliated with him, during the preceding twelve calendar months, of the securities of the insurance company or of the securities of such person, including the dates of purchase, names of the purchasers and consideration paid or agreed to be paid therefor;

(8) Information as to any recommendations made during the preceding twelve calendar months by such person, or by persons affiliated with such person, or by any other person based upon interviews with or at the suggestion of such person or any person affiliated with him to purchase the securities of the insurance company or the securities of such person;

(9) Copies of all tender offers, requests or invitations for tenders, exchange offers, contracts or agreements and advertisements making a tender offer or requests or invitations for tenders, and additional material soliciting or requesting such tender offers; and

(10) Such additional information as the Superintendent may by regulation prescribe as necessary or appropriate for the protection of policyholders and securityholders of the insurance company or in the public interest.

When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring securities of such insurer, such group shall be deemed a "person", within the meaning of this act, and the information called for by subdivisions (1) through (10) of this subsection shall be given with respect to each member of the group.

If any material change occurs in the facts set forth in the statement filed with the Superintendent and sent to such insurance company pursuant to this section, an amendment shall be filed with the Superintendent and a copy sent to such insurance company, within ten days subsequent to such change, by the person filing the original statement, or his agent, setting forth such change, and such insurance company shall within thirty days after such filing, mail such amendment to its stockholders at the expense of the person making such amendment.

Section 3. If any offer, invitation, request, agreement or acquisition referred to in section 2 of this act is proposed to be made by means of a registration statement under the Securities Act of 1933 or in circumstances requiring the disclosure of similar information under the Securities Exchange Act of 1934, the person required to file the statement referred to in said section 2 may utilize such documents in furnishing the information required by said section to the extent that the registration statement contains such information.

Section 4. (a) The Superintendent shall hold a public hearing on the question of the granting of his approval under section 2 of this act within one hundred eighty days after the statement required by said section 2 is filed with him. Such public hearing shall be postponed if any amendment to such statement is filed for a further period not to exceed one hundred eighty days after the filing of such amendment. He shall give at least sixty days' notice of any hearing required under this section to the person required to file such statement and to the insurance company; and the person filing such statement shall give notice of the hearing by publication in a newspaper of general circulation in the City of Montgomery and in such other city or cities as the Superintendent may direct, once a week for three successive weeks commencing within one week after notice to such person, and the Superintendent may require such other notice as, under the circumstances,

he deems appropriate. The insurance company shall mail notice of the public hearing to its stockholders at the expense of such person within thirty days of its receipt of such notice from the Superintendent. The person filing the statement, the insurance company, any person to whom notice of hearing was sent and any other affected person shall have the right to present evidence, have counsel, examine or cross-examine witnesses, and offer oral and written argument; and in connection therewith shall be entitled to conduct discovery proceedings in the same manner as is prescribed for the circuit courts. The Superintendent may adjourn the hearing to fixed dates in order to comply with the discovery requested. A transcript shall be made of such hearing. The Superintendent shall make a determination as promptly as practicable upon the conclusion of such hearing.

(b) The Superintendent shall not approve any such offer, request, invitation, agreement or acquisition unless he finds that:

(1) Upon completion of the acquisition, the domestic insurance company would be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it was licensed prior to such acquisition;

(2) The financial condition of the acquiring person is not such as might jeopardize the financial stability of the insurance company, or prejudice the interests of its policyholders or the interests of any remaining securityholders who are unaffiliated with the acquiring person;

(3) If a tender offer or exchange offer is contemplated, the terms thereof are fair and equitable to the securityholders of the insurance company;

(4) The plans or proposals which the acquiring person has to liquidate the insurance company, to sell its assets or to merge or consolidate it with any person, or to make any other material change in its business or corporate structure or management, are fair and reasonable to policyholders and securityholders; and

(5) The competence, experience and integrity of the acquiring person are such that it would be in the interest of the policyholders and securityholders of such insurance company and in the public interest for such offer, request, invitation, agreement or acquisition to be made.

Section 5. The provisions of sections 2, 3 and 4 of this act shall not apply to:

(1) Any offer, request, invitation, agreement or acquisition by a person of any security of a domestic insurance company which, immediately prior to the consummation thereof, was an unissued security of such insurance company;

(2) Any offer, request, invitation, agreement or acquisition which the Superintendent by order shall exempt therefrom as (a) not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic insurance company, or (b) as otherwise not comprehended within the purposes of this act; and

(3) Any transaction which is subject to the provisions of sections 65, 66, 67, 68, 69, 70, 71, 72 and 73 of Act No. 414 of the 1959 Legislature of Alabama known as the Alabama Business Corporation Act (also cited as Title 10, Article 6, Sections 21(65)-21(73) of the Code of Alabama, recompiled 1958), as amended.

Section 6. (a) No security which is the subject of any agreement or arrangement regarding acquisition or which is acquired or to be acquired in contravention of the provisions of this act or of any regulation

or order promulgated by the Superintendent hereunder may be voted at any stockholders' meeting or may be counted for quorum purposes, and any action of stockholders requiring the affirmative vote of a specified percentage of shares may be taken as though such securities were not issued and outstanding; but in the event the status of any such securities is not challenged by the issuer or any stockholder at a meeting, such securities may be voted and counted for quorum purposes at the meeting and the voting of such securities shall not invalidate the action taken at any such meeting.

(b) The insurance company or the Superintendent through the Attorney General may apply to the circuit court for Montgomery County sitting in equity or to the circuit court sitting in equity for the county in which the insurance company has its principal place of business, or to any judge thereof, for equitable relief to enjoin any offer, request, invitation, agreement or acquisition made in contravention of the provisions of this act or any regulation or order promulgated by the Superintendent hereunder or the voting of any security so acquired. In any case where a person has acquired or is proposing to acquire any securities in violation of this act or any regulation or order promulgated by the Superintendent hereunder, the circuit court for Montgomery County or the circuit court for the county in which the insurance company has its principal place of business may, on such notice as the court deems appropriate, upon the application of the insurance company or the Superintendent through the Attorney General, seize or sequester any securities of the insurance company owned directly or indirectly by such person with such orders with respect thereto as the court deems appropriate to effectuate the provisions of this act. Notwithstanding any other provision of law, for the purposes of this act the situs of the ownership of all securities of all domestic insurance companies shall be construed to be this state.

Section 7. (a) Every insurance company which is authorized to do business in this state and which is a member of an insurance holding company system shall register with the Superintendent on a form prescribed by him. Any insurance company which is subject to registration under this section shall register within ninety days after the effective date of this act or thirty days after it becomes subject to registration, whichever is later, unless the Superintendent, for good cause shown, extends the time for registration, in which case it shall register within such extended time.

(b) Any person may file with the Superintendent a disclaimer of affiliation with any insurance company and any insurance company may file a disclaimer of affiliation with any other person. The disclaimer shall fully disclose all material relationships and bases for affiliation between such person and such insurance company as well as the basis for disclaiming such affiliation. After a disclaimer has been filed, the insurance company shall be relieved of any duty to register or report under this section which may arise out of the insurance company's relationship with such person unless and until the Superintendent disallows such disclaimer. The Superintendent shall disallow such disclaimer only after furnishing all parties in interest with notice and an opportunity to be heard, and after making specific findings of fact to support such disallowance.

(c) The failure to file a registration statement or any amendment or addition thereto required by this section within the time specified for such filing shall be a violation of this act.

(d) The Superintendent may by regulation or order exempt any insurance company or class of insurance companies from registration under this section if in his judgment: (1) such company or class of companies is subject to adequate regulation where domiciled or else-

where, or (2) registration by such company or class of companies is not necessary to effectuate the purposes of this act.

Section 8. (a) Material transactions between insurance companies subject to registration under section 7 of this act and their affiliates shall be subject to the following requirements: (1) the terms shall be fair and reasonable; (2) the books, accounts and records of each party shall be so maintained as to clearly and accurately disclose the precise nature and details of the transactions; (3) the insurance company's surplus with respect to policy holders shall be reasonable in relation to the insurance company's outstanding liabilities and adequate to its financial needs; and (4) no transfer of assets which, together with other such related transfers made within the preceding twelve months, exceeds in value the greater of (A) fifteen percent of such insurance company's surplus with respect to policyholders as of the thirty-first day of December last preceding, or (B) the net gain from operations of such insurance company, if such company is a life insurance company, or the net investment income, if such company is not a life insurance company, for the twelve month period ending the thirty-first day of December last preceding, shall be effected unless the Superintendent shall have been given notice thereof by the transferor at least thirty days prior thereto or unless the Superintendent waives such notice.

(b) Any material transaction which is not in conformity with subsection (a) of this section shall be considered to be a violation of this act.

(c) No insurance company subject to registration under section 7 of this act shall pay any extraordinary dividend or make any other extraordinary distribution to its stockholders until the Superintendent has approved such payment or until thirty days after the Superintendent has received notice from such company of the declaration thereof within which period he has not disapproved such payment, whichever is sooner.

For the purposes of this subsection (c), an extraordinary dividend or distribution is any dividend or distribution which, together with other dividends or distributions made within the preceding twelve months, exceeds the greater of (1) fifteen per cent of such insurance company's surplus with respect to policyholders as of the thirty-first day of December last preceding, or (2) the net gain from operations of such insurance company, if such company is a life insurance company, or the net investment income, if such company is not a life insurance company, for the twelve month period ending the thirty-first day of December last preceding. Notwithstanding any other provision of law, an insurance company may declare an extraordinary dividend or distribution which is conditional upon the Superintendent's approval thereof, but such a declaration shall confer no rights upon stockholders until (1) the Superintendent has approved the payment of such dividend or distribution or (2) thirty days have elapsed without his disapproval thereof as provided in subsection (c) of this section, whichever is sooner.

Section 9. Every report made, document or information furnished and registration form filed pursuant to Section 7 of this act, including every report of examination or investigation, shall be a confidential communication and shall not be made public by the Superintendent or any other person without the prior written consent of the insurance company to which it pertains unless the Superintendent, after giving the insurance company and its affiliates who would be affected thereby notice and opportunity to be heard, determines that the interests of policyholders, securityholders, or the public will be served by the publication thereof, in which event he may publish all or any part thereof in such manner as he may deem appropriate.

Section 10. The Superintendent may promulgate such regulations as shall be necessary to carry out the provisions of this act.

Section 11. (a) Any person aggrieved by any regulation, order or any other action of the Superintendent pursuant to this act or any failure of the Superintendent to act as required by this act may appeal therefrom to the circuit court for Montgomery County, sitting in equity. The court shall conduct its review without a jury and by trial de novo, except that if all parties, including the Superintendent, so stipulate, the review shall be confined to the record. Portions of the record may be introduced by stipulation into evidence in a trial de novo as to those parties so stipulating.

(b) The filing of an appeal pursuant to this section shall stay the application of any such regulation, order or other action of the Superintendent to the appealing party unless the court, after giving such party notice and an opportunity to be heard, determines that such a stay would be detrimental to the interests of policyholders, securityholders, creditors or the public.

Section 12. Whenever it appears to the Superintendent that any insurance company or any director, officer, employee or agent thereof has committed or is about to commit a violation of this act or regulation or order issued by the Superintendent hereunder, the Superintendent may apply, through the Attorney General, to the circuit court, sitting in equity, or any judge thereof for the county in which the principal office of the insurance company is located or, if such insurance company has no such office in this state, then to the circuit court, sitting in equity, or any judge thereof for Montgomery County, for an order enjoining such insurance company or such director, officer, employee or agent thereof from violating or continuing to violate this act or any regulation or order, and for such other equitable relief as the nature of the case and the interests of the insurance company's policyholders, creditors, and securityholders or the public may require.

Section 13. Whenever it appears to the Superintendent that any insurance company or any director, officer, employee or agent thereof has committed a willful violation of this act, the Superintendent may cause criminal proceedings to be instituted by the circuit solicitor or district attorney for the county in which the principal office of the insurance company is located or, if such insurance company has no such office in the state, by the circuit solicitor for Montgomery County against such insurance company or the responsible director, officer, employee or agent thereof. Any insurance company which willfully violates this act shall be fined not more than ten thousand dollars. Any individual who willfully violates this act shall be fined not more than three thousand dollars or, if such willful violation involves the deliberate perpetration of a fraud upon the Superintendent, shall be imprisoned not more than two years or so fined or both.

Section 14. Whenever it appears to the Superintendent that any person has committed a violation of this act which so impairs the financial condition of a domestic insurance company as to threaten insolvency or make the further transaction of business by it hazardous to its policyholders, creditors, securityholders or the public, the Superintendent may proceed as provided in Title 28, Section 58 of the Alabama Code of 1940 to take possession of the property of such domestic insurance company and to conduct the business thereof.

Section 15. Whenever it appears to the Superintendent that any person has committed a violation of this act which makes the continued operation of an insurance company contrary to the interests of its policyholders or the public, the Superintendent may, after giving notice and an opportunity to be heard, suspend, revoke or refuse to renew

such insurance company's license or authority to do business in this state for such period as he finds is required for the protection of its policyholders or the public.

Section 16. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Paulk
Agee	Ellis	Jones	Pearson
Bank	Fine	Laxson	Pennington
Bassett	Gafford	Lemley	Perloff
Beck	Garrett	Manley	Pruitt
Berryman (W)	Graham	Marr	Sessions
Blanton	Grainger	Mathews	Shumate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Springer
Burgreen	Harris	McElhanev	Starnes
Cameron	Haygood	Meade	Steagall
Cherner	Headley	Melton	Stubbs
Collier	Higginbotham	Merrill	Turnham
Cook (Jefferson)	Hill	Nettles	Waggoner
Crawford	Hobbie	Neville	Williams
Dill	Holman	Owen (Baldwin)	Wood
Dobbs	House	Owens (W)	Yeilding
Downing			

—69

And the question was on the amendment to the Substitute, which amendment was offered by the Standing Committee on Judiciary, the said Committee amendment being as follows:

Amend Substitute for House Bill 89 by renumbering Section 16 as Section 17 and adding as Section 16 the following:

"Section 16. With respect to the following acquisitions of or offers to acquire insurance stock or insurance holding company stock:

"(a) Any acquisition or offer by (i) the issuer of such stock, or (ii) a person who at the time owns beneficially at least fifty-one per centum of the shares of each class proposed to be acquired;

"(b) Any acquisition or offer to acquire insurance stock pursuant to the provisions of the laws of this state relating to merger and consolidation of corporations.

"The provisions of this Act shall apply only to the extent that any contract for the acquisition of such stock, or any part thereof must be expressly conditioned upon the approval thereof by the Superintendent."

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cherner	Crawford
Agee	Brannan	Collier	Culver
Bassett	Brassell	Collins (C)	Dill
Beck	Burgreen	Collins (W)	Dobbs
Berryman (W)	Cameron	Cook (Jefferson)	Downing

Drake	Hill	McLain	Perloff
Ellis	Hobbie	Meade	Sessions
Fine	Holman	Melton	Smith
Gafford	House	Merrill	Springer
Garrett	Jackson (T)	Money	Starnes
Graham	Jones	Nettles	Steagall
Grainger	Laxson	Neville	Stubbs
Grayson	Marr	Owen (Baldwin)	Turnham
Hain	Mathews	Owens (W)	Waggoner
Harris	Mays	Paulk	Williams
Haygood	McCorquodale	Pearson	Wood
Headley	McElhaney	Pennington	Yeilding
Higginbotham			

—69

And the bill, H. 89, as thus amended:

Concerning the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bassett	Drake	Jones	Pearson
Beck	Ellis	Laxson	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Gafford	Manley	Pruitt
Brannan	Garrett	Marr	Sessions
Brassell	Graham	Mathews	Smith
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Turnham
Collins (C)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Williams
Crawford	Hill	Neville	Wood
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dill	Holman		

—70

MOTION TO BRING UP H. 1411

On motion of Mr. Holladay, the rules were suspended and permission granted to bring up out of order the bill, H. 1411.

Yeas 58; Nays 3.

Yeas:

Mr. Speaker	Cameron	Downing	Hain
Agee	Cherner	Ellis	Harris
Bank	Collier	Fine	Haygood
Berryman (W)	Collins (C)	Garrett	Hill
Blanton	Collins (W)	Gloor	Hobbie
Brannan	Crawford	Graham	Holman
Brassell	Culver	Grainger	Jones
Burgreen	Dill	Grayson	Laxson

Lemley	Melton	Pruitt	Stembridge
Marr	Neville	Robertson	Stubbs
Mathews	Owens (W)	Sessions	Turnham
Mays	Paulk	Springer	Waggoner
McCorquodale	Pearson	Starnes	Wood
McElhaney	Pennington	Steagall	Yeilding
McLain	Perloff		

—58

Nays: Messrs. Gafford, Higginbotham and Nettles

—3

And the bill:

H. 1411 (with amendment). To amend Sections 122, 123 and repeal Section 124, Title 17, Code of Alabama, 1940, as amended, so as to select election officials for holding all elections throughout the state of Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1 of House Bill 1411 by striking the words "The tax collector, the tax assessor and the district attorney of the judicial circuit of which the county is a part" and substitute "The district attorney of the judicial circuit of which the county is a part, the tax assessor of the county and the tax collector of the county".

And the amendment was adopted.

Yeas 69; Nay 1.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Beck	Garrett	Malone	Perloff
Berryman (W)	Gloor	Manley	Pruitt
Blanton	Graham	Marr	Robertson
Brannan	Grainger	Mathews	Sessions
Brassell	Grayson	Mays	Smith
Burgreen	Hain	McCorquodale	Springer
Cameron	Harris	McElhaney	Starnes
Cherner	Haygood	McLain	Steagall
Collier	Headley	Meade	Stembridge
Collins (C)	Higginbotham	Melton	Stubbs
Collins (W)	Hill	Merrill	Turnham
Cook (Jefferson)	Hobbie	Money	Waggoner
Crawford	Holman	Neville	Williams
Culver	Jackson (T)	Owen (Baldwin)	Wood
Dill			

—69

Nay: Mr. Nettles

—1

And the bill, H. 1411, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 3.

Yeas:

Mr. Speaker	Bank	Berryman (W)	Brannan
Agee	Beck	Blanton	Brassell

Burgess	Graham	Malone	Pearson
Burgreen	Grainger	Manley	Pennington
Cameron	Grayson	Marr	Perloff
Cherner	Hain	Mathews	Pruitt
Collier	Harris	Mays	Robertson
Collins (C)	Haygood	McCorquodale	Sessions
Collins (W)	Headley	McElhaney	Smith
Cook (Jefferson)	Higginbotham	Meade	Springer
Crawford	Hill	Melton	Starnes
Dill	Hobbie	Merrill	Steagall
Downing	Holman	Money	Stubbs
Drake	Jones	Neville	Turnham
Ellis	Laxson	Owen (Baldwin)	Williams
Fine	Lemley	Owens (W)	Wood
Garrett			

—65

Nays: Messrs. Gafford, Jackson (T) and Nettles.

—3

And the bill:

H. 59. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Holman	Owens (W)
Agee	Drake	Jackson (T)	Paulk
Bank	Ellis	Jones	Pearson
Beck	Fine	Laxson	Pennington
Berryman (W)	Gafford	Lemley	Perloff
Blanton	Garrett	Manley	Pruitt
Brannan	Gloor	Marr	Robertson
Brassell	Graham	Mathews	Smith
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	Meade	Steagall
Collier	Harris	Melton	Stembridge
Collins (C)	Haygood	Merrill	Stubbs
Collins (W)	Headley	Money	Turnham
Cook (Jefferson)	Higginbotham	Nettles	Williams
Crawford	Hill	Neville	Wood
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dill			

—69

MOTION TO RECONSIDER H. 1288

Having voted with the prevailing side on the passage of the bill, H. 1288, Mr. Starnes moved to reconsider, and the motion was adopted.

On motion of Mr. Starnes, the bill, H. 1288, was carried over to the thirty-fourth legislative day.

And the bill:

H. 1444 (with substitute). To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Ala-

bama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Education, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county, so as to prescribe certain limitations on the levying of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969 is hereby amended as follows:

"Section 1. In order to provide funds for the operation of the public schools in the county, the governing body of each of the several counties in this state is hereby authorized by ordinance or resolution to levy and provide for the assessment and collection of franchise, excise and privilege license taxes with respect to privileges or receipts from privileges exercised in such county, which shall be in addition to any and all other county taxes heretofore or hereafter authorized by law in such county. Such governing body may, in its discretion, submit the question of levying any such tax to a vote of the qualified electors of the county. If such governing body submits the question to the voters, then the governing body shall also provide for holding and canvassing the returns of the election and for giving notice thereof. All the proceeds from any tax levied pursuant to this Act less the cost of collection thereof shall be used exclusively for public school purposes. Notwithstanding anything to the contrary herein, said governing body shall not levy any tax hereunder measured by gross receipts (except a sales tax which parallels, except for the rate of tax, Act No. 100 adopted at the Second Extraordinary Session of 1959 of the Legislature of Alabama, as amended, and a use tax which parallels, except for the rate of tax, Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended); nor shall any such governing body levy any tax upon the privilege of engaging in any business unless such tax is levied uniformly and at the same rate against every person engaged in business within the county."

Section 2. The provisions of this Act are severable. If any part of the Act is declare invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Tuck, the substitute was tabled.

Yeas 52; Nays 2.

Yeas:

Mr. Speaker	Drake	Marr	Perloff
Agee	Fine	Mays	Pruitt
Bank	Graham	McElhaney	Robertson
Berryman (W)	Hain	Melton	Smith
Blanton	Haygood	Merrill	Starnes
Brannan	Headley	Money	Steagall
Brassell	Hill	Nettles	Stembridge
Burgess	Hobbie	Neville	Stubbs
Burgreen	Holladay	Owen (Baldwin)	Tuck
Collier	Jones	Owens (W)	Williams
Collins (W)	Laxson	Paulk	Wood
Crawford	Lemley	Pearson	Wright
Downing	Manley	Pennington	Yeilding

—52

Nays: Messrs. Collins (C) and Harris

—2

Mr. Tuck offered the following substitute to the bill, H. 1444:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969 is hereby amended as follows:

"Section 1. In order to provide funds for the operation of the public schools in the county, the governing body of each of the several counties in this state is hereby authorized by ordinance or resolution to levy and provide for the assessment and collection of franchise, excise and privilege license taxes with respect to privileges or receipts from privileges exercised in such county, which shall be in addition to any and all other county taxes heretofore or hereafter authorized by law in such county. Such governing body may, in its discretion, submit the question of levying any such tax to a vote of the qualified electors of the county. If such governing body submits the question to the voters, then the governing body shall also provide for holding and canvassing the returns of the election and for giving notice thereof. All the proceeds from any tax levied pursuant to this Act less the cost of collection thereof shall be used exclusively for public school purposes. Notwithstanding anything to the contrary herein, said governing body shall not levy any tax hereunder measured by gross receipts (except a sales tax which parallels, except for the rate of tax, Act No. 100 adopted at the Second Extraordinary Session of 1959 of the Legislature of Alabama, as amended, and a use tax which parallels, except for the rate of tax, Code of Alabama 1940, Title 51, Chapter 20, Article 11, as

amended; nor shall any such governing body levy any tax upon the privilege of engaging in any business or profession unless such tax is levied uniformly and at the same rate against every person engaged in the pursuit of any business or profession within the county, except that any tax levied hereunder upon the privilege of engaging in any business or profession may be measured by the number of employees of such business or the number of persons engaged in the pursuit of such profession. Provided that in all counties having more than one (1) school system, revenues collected under the provisions of this Act shall be distributed within such county on the same basis as funds received by the county from the Minimum Program Fund are distributed within the county."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Crawford	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Manley	Pruitt
Beck	Ellis	Marr	Robertson
Berryman (W)	Fine	Mays	Smith
Blanton	Graham	McLain	Starnes
Brannan	Grayson	Melton	Steagall
Brassell	Hain	Merrill	Stembridge
Burgess	Harris	Money	Stubbs
Burgreen	Haygood	Nettles	Tuck
Cameron	Headley	Owen (Baldwin)	Turnham
Collier	Higginbotham	Owens (W)	Williams
Collins (C)	Hill	Paulk	Wood
Collins (W)	Hobbie	Pearson	Yeilding
Cook (Coffee)	Jones		

—58

Mr. Williams offered the following amendment to the bill, H. 1444, as amended:

In Section 1, in the first sentence thereof, strike the words, "or resolution."

And the amendment was adopted.

Yeas 57; Nays 1.

Yeas:

Mr. Speaker	Burgess	Doss	Harris
Agee	Cameron	Downing	Haygood
Berryman (W)	Collier	Ellis	Headley
Blanton	Collins (W)	Gloor	Higginbotham
Brannan	Cook (Coffee)	Graham	Hill
Brassell	Crawford	Grayson	Hobbie
Brown	Dill	Hain	Jackson (T)

Jones	Money	Perloff	Stubbs	
Lemley	Nettles	Pruitt	Tuck	
Manley	Owen (Baldwin)	Robertson	Turnham	
Marr	Owens (W)	Smith	Watkins	
McCorquodale	Paulk	Springer	Williams	
McLain	Pearson	Starnes	Wood	
Melton	Pennington	Steagall	Yeilding	
Merrill				—57

Nay: Mr. Mays —1

And the bill, H. 1444, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 2.

Yeas:

Mr. Speaker	Dill	Hobbie	Pearson	
Agee	Doss	Holladay	Pennington	
Berryman (W)	Downing	Jones	Perloff	
Blanton	Edington	Lemley	Pruitt	
Brannan	Ellis	Manley	Smith	
Brassell	Fine	Marr	Springer	
Burgess	Gafford	Mays	Starnes	
Burgreen	Graham	McCorquodale	Steagall	
Cameron	Grayson	McLain	Stubbs	
Collier	Hain	Melton	Tuck	
Collins (C)	Harris	Merrill	Turnham	
Collins (W)	Haygood	Money	Waggoner	
Cook (Coffee)	Headley	Nettles	Wood	
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Yeilding	
Crawford	Hill	Owens (W)		—59

Nays: Messrs. Garrett and Jackson (T) —2

And the bill:

H. 334 (with substitute). To prohibit the sale and planting of Crotalaria; providing penalties for violations.

Was taken up.

And the question was on the adoption of the substitute offered by the Standing Committee on Agriculture, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To prohibit the sale and planting of Crotalaria; providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, partnership, corporation or association to sell or offer for sale for planting purposes any species or variety of the genus *Crotalaria* toxic to livestock or poultry, and it shall likewise be unlawful for any person acting either as principal or agent to plant any such species or variety of such genus in this state.

Section 2. Any person who wilfully violates any provision of this act shall be guilty of a misdemeanor and upon conviction shall be fined

not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Berryman (W)	Drake	Laxson	Pennington
Brannan	Edington	Lemley	Perloff
Brassell	Ellis	Marr	Pruitt
Burgess	Garrett	Mays	Robertson
Cameron	Grayson	McCorquodale	Smith
Collier	Hain	McLain	Springer
Collins (C)	Harris	Melton	Starnes
Collins (W)	Haygood	Merrill	Steagall
Cook (Coffee)	Headley	Money	Stubbs
Cook (Jefferson)	Higginbotham	Nettles	Tuck
Crawford	Hill	Owen (Baldwin)	Williams
Dill	Hobbie	Owens (W)	Yeilding
Doss			

—53

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 334, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Bank	Downing	Jones	Pennington
Beck	Drake	Laxson	Perloff
Berryman (W)	Edington	Lemley	Pruitt
Brannan	Ellis	Marr	Robertson
Brassell	Grayson	Mays	Smith
Burgess	Hain	McCorquodale	Springer
Cameron	Harris	McLain	Starnes
Collier	Haygood	Melton	Steagall
Collins (C)	Headley	Merrill	Stubbs
Collins (W)	Higginbotham	Money	Tuck
Cook (Coffee)	Hill	Nettles	Turnham
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Williams
Crawford	Holladay	Owens (W)	Yeilding

—56

And the bill:

H. 563. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Doss	Hill	Owens (W)
Agee	Downing	Hobbie	Pearson
Bank	Drake	Holladay	Pennington
Beck	Edington	Holman	Perloff
Berryman (W)	Ellis	Jones	Pruitt
Brannan	Fine	Laxson	Robertson
Brassell	Gafford	Lemley	Smith
Brown	Garrett	Marr	Springer
Burgess	Gloor	Mathews	Starnes
Cameron	Graham	Mays	Steagall
Collier	Grayson	McCorquodale	Stembridge
Collins (C)	Hain	Melton	Stubbs
Collins (W)	Harris	Merrill	Turnham
Cook (Coffee)	Haygood	Money	Williams
Cook (Jefferson)	Headley	Nettles	Wood
Crawford	Higginbotham	Owen (Baldwin)	Yeilding
Dill			

—65

MOTION TO BRING UP S. 390

On motion of Mr. Malone, the rules were suspended and permission granted to bring up out of order the bill, S. 390.

Yeas 58; Nay 1.

Yeas:

Messrs.:	Downing	Jones	Perloff
Berryman (W)	Drake	Laxson	Pruitt
Blanton	Edington	Malone	Robertson
Brannan	Ellis	Marr	Sessions
Brassell	Fine	Mathews	Springer
Burgess	Garrett	Mays	Starnes
Cameron	Graham	McCorquodale	Steagall
Collier	Grainger	McLain	Stembridge
Collins (C)	Grayson	Melton	Stubbs
Collins (W)	Hain	Money	Tuck
Cook (Coffee)	Haygood	Nettles	Turnham
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Williams
Crawford	Hill	Owens (W)	Wood
Dill	Hobbie	Pearson	Yeilding
Doss	Holladay	Pennington	

—58

Nay: Mr. Harris

—1

And the bill:

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in

order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Downing	Holladay	Owens (W)
Adwell	Drake	Jones	Pearson
Agee	Edington	Laxson	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (W)	Fine	Malone	Pruitt
Blanton	Garrett	Marr	Robertson
Brannan	Gloor	Mathews	Sessions
Brassell	Graham	Mays	Springer
Cameron	Grainger	McCorquodale	Steagall
Collier	Grayson	McLain	Stembridge
Collins (C)	Hain	Meade	Stubbs
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Turnham
Cook (Jefferson)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Dill	Hobbie	Owen (Baldwin)	Yeilding
Doss			

—65

Nay: Mr. Harris

—1

And the bill:

By Mr. Turnham:

H. 147 (with substitute). To Propose an Amendment to Amendment 202 of the Constitution of Alabama.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Education, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To propose an amendment to Amendment CCII to the Constitution providing for the levy and collection of a special school systems tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to Amendment No. CCII to the Constitution of Alabama, which was proposed by Act No. 23, H. 128, of the 1961 Extra Session (Acts, 1961, p. 1819) and proclaimed ratified March 10, 1962, and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

Proposed Amendment

That the following paragraph be added to Amendment No. CCII to the Constitution of Alabama, which was proposed by Act No. 23, H. 128 of the 1961 Extra Session (Acts, Extra Session 1961, p. 1819):

A special school systems tax of not exceeding fifty cents on each

one hundred dollar's worth of taxable property in any school system area shall be levied and collected for public school purposes, in addition to all other taxes now or hereafter authorized by the Constitution and laws of Alabama; provided the rate of such tax, the time it is to continue, and the purpose thereof shall have been first submitted to the vote of the qualified electors of the school system area and voted for by a majority of those voting at such election. A school system area, as such term is here used, means the area served by a school system, and it may be only that territory lying within the corporate limits of a city or town or it may be composed of territory lying both within and without such corporate limits or it may be territory lying entirely outside the corporate limits of any city or town, or a school system area may, but need not, coincide with a school district, as established by law, or it may be composed of one or more than one school districts or of parts of one or more school districts; but such area must have been heretofore or must be hereafter defined, delineated by metes and bounds, designated and established as a school system area by the county board of education before the tax hereby authorized is levied. If any proposal to levy the tax is defeated in any election, subsequent elections thereon may be held at any time. The election provided for herein shall be called, held, conducted, paid for, and governed otherwise in the manner provided for an election on the school district tax authorized in the Constitutional Amendment III, except that the school system area shall be the taxing unit in lieu of the school district.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 58; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Pearson
Agee	Downing	Holladay	Perloff
Bassett	Drake	Holman	Sessions
Beck	Ellis	Lemley	Smith
Berryman (W)	Fine	Malone	Springer
Brannan	Gafford	Mathews	Starnes
Brassell	Gloor	Mays	Steagall
Burgess	Graham	McLain	Stembridge
Burgreen	Grainger	Meade	Stubbs
Collier	Grayson	Melton	Turnham
Collins (C)	Hain	Merrill	Watkins
Cook (Coffee)	Harris	Money	Williams
Crawford	Haygood	Owen (Baldwin)	Wood
Culver	Higginbotham	Paulk	Yeilding
Dill	Hill		

—58

Nay: Mr. Pruitt

—1

And the bill, H. 147, as thus amended:

To propose an amendment to Amendment CCII to the Constitution providing for the levy and collection of a special school systems tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Higginbotham	Money
Adwell	Crawford	Hill	Owen (Baldwin)
Agee	Culver	Hobbie	Paulk
Bank	Dill	Holladay	Pearson
Bassett	Downing	Holman	Sessions
Beck	Drake	Jones	Smith
Berryman (W)	Edington	Laxson	Springer
Blanton	Ellis	Lemley	Starnes
Brannan	Fine	Malone	Steagall
Brassell	Gloor	Manley	Stembridge
Burgess	Graham	Mathews	Stubbs
Burgreen	Grainger	Mays	Tuck
Cameron	Grayson	McElhaney	Turnham
Cherner	Hain	McLain	Watkins
Collier	Harris	Meade	Williams
Collins (C)	Haygood	Melton	Wood
Cook (Coffee)	Headley	Merrill	Yeilding

—68

MOTION TO ADJOURN LOST

The motion of Mr. Perloff that the House adjourn until 1:30 P. M. Thursday, August 21, 1969, was lost.

Yeas 23; Nays 35.

Yeas:

Messrs.:	Collins (W)	Marr	Paulk
Adwell	Dill	Mathews	Perloff
Beck	Hain	Mays	Pruitt
Brannan	Headley	Meade	Springer
Brassell	Jackson (T)	Melton	Wood
Burgreen	Malone	Owen (Baldwin)	Yeilding

—23

Nays:

Mr. Speaker	Downing	Harris	Pearson
Agee	Drake	Haygood	Sessions
Brown	Edington	Higginbotham	Smith
Burgess	Ellis	Hill	Starnes
Collier	Fine	Holman	Steagall
Collins (C)	Gafford	Lemley	Stubbs
Cook (Coffee)	Garrett	McLain	Tuck
Crawford	Grainger	Merrill	Turnham
Culver	Grayson	Money	

—35

RESOLUTION

The following resolution was introduced:

By Messrs. Burgess, Adwell, Bassett, Berryman (W), Brannan, Brown, Collier, Cook (Jefferson), Crawford, Downing, Ellis, Fine, Gafford, Garrett, Grayson, Hain, Harris, Hobbie, Holladay, Holman, House, Jackson (T), Laxson, Lemley, Mays, Melton, Merrill, Owens (W), Paulk, Pearson, Pennington, Pruitt, Springer, Starnes, Stubbs, Waggoner, Watkins and Williams:

H. J. R. 142. WHEREAS a field representative of the infamous Department of Health, Education and Welfare has this day announced the improbability of federal aid to certain Mississippi school districts ravaged by hurricane Camille; and

WHEREAS the sole basis for this untimely, even inhumane, suggestion that innocent children will be deprived of necessary school facilities is the despicable Civil Rights Act of 1964; and

WHEREAS this announcement is typical of the unconscionable and unconstitutional edicts handed down from this most destructive of governmental agencies; and

WHEREAS certain school districts in our sister state, Mississippi, in this time of need, are in eminent peril of coming under the undermining influence of contemptible action by H.E.W.; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That this body decries with all its might the inhumane treatment planned by H.E.W. for the school children of Mississippi and declares its full support of the courageous path adhered to by the sovereign state of Mississippi.

RESOLVED FURTHER, That copies of this resolution shall be sent to Mr. Robert Finch, Secretary of the Department of Health, Education and Welfare and to each member of the congressional delegations from Alabama and Mississippi and to the Governor of Mississippi.

On motion of Mr. Burgess, the rules were suspended and H. J. R. 142 was adopted.

MOTION TO BRING UP H. 1412

On motion of Mr. Pruitt, the rules were suspended and permission granted to bring up out of order the bill, H. 1412.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Gafford	Manley	Pruitt
Agee	Garrett	Marr	Sessions
Berryman (W)	Graham	Mathews	Shumate
Blanton	Grayson	Mays	Smith
Brannan	Hain	Meade	Starnes
Brassell	Harris	Melton	Steagall
Burgreen	Hill	Money	Stembridge
Cameron	Hobbie	Nettles	Stubbs
Collier	Holladay	Neville	Tuck
Cook (Coffee)	Holman	Owen (Baldwin)	Turnham
Cook (Jefferson)	Jackson (T)	Owens (W)	Waggoner
Crawford	Jones	Paulk	Watkins
Culver	Laxson	Pearson	Williams
Doss	Lemley	Pennington	Wood
Downing	Malone	Perloff	Yeilding
Ellis			

—60

And the bill:

H. 1412. To repeal Sections 21, 22, 23, 25 and 92 of Title 13, Code of Alabama 1940, all of which relate to the submission of cases in the appellate courts of the state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pennington
Adwell	Ellis	Malone	Perloff
Agee	Fine	Manley	Pruitt
Beck	Gafford	Marr	Sessions
Berryman (W)	Garrett	Mathews	Shumate
Blanton	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	Meade	Starnes
Brown	Hain	Melton	Steagall
Burgreen	Harris	Merrill	Stembridge
Cameron	Haygood	Money	Stubbs
Collier	Hill	Nettles	Tuck
Cook (Coffee)	Hobbie	Neville	Turnham
Cook (Jefferson)	Holladay	Owen (Baldwin)	Watkins
Crawford	Jackson (T)	Owens (W)	Williams
Culver	Jones	Paulk	Wood
Doss	Laxson	Pearson	Yeilding

—68

MOTION TO BRING UP H. 129

The motion of Mr. McLain to suspend the rules and bring up out of order the bill, H. 129, was lost.

Yeas 33; Nays 24.

Yeas:

Messrs.:	Downing	Mathews	Pennington
Brannan	Grainger	Mays	Perloff
Brassell	Grayson	McElhaney	Pruitt
Burgreen	Hill	McLain	Starnes
Cameron	Holladay	Melton	Steagall
Collins (W)	Holman	Money	Tuck
Culver	Jones	Owens (W)	Wood
Dill	Manley	Paulk	Yeilding
Doss	Marr		

—33

Nays:

Mr. Speaker	Cook (Jefferson)	Hain	Nettles
Agee	Crawford	Harris	Owen (Baldwin)
Berryman (W)	Ellis	Hobbie	Pearson
Blanton	Fine	Jackson (T)	Stembridge
Collier	Gafford	Malone	Waggoner
Collins (C)	Garrett	McCorquodale	Watkins

—24

And the bill:

H. 1272. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties there-

for; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Pearson
Adwell	Fine	Lemley	Pennington
Agee	Gafford	Malone	Perloff
Berryman (W)	Garrett	Manley	Shumate
Blanton	Graham	Marr	Smith
Brannan	Grayson	Mays	Springer
Brassell	Hain	McCorquodale	Starnes
Burgreen	Harris	Meade	Steagall
Cameron	Haygood	Melton	Stembridge
Collier	Headley	Merrill	Stubbs
Cook (Coffee)	Hill	Money	Tuck
Cook (Jefferson)	Hobbie	Nettles	Watkins
Crawford	Holman	Owen (Baldwin)	Williams
Culver	Jackson (T)	Owens (W)	Wood
Downing	Jones	Paulk	Yeilding

—60

And the bill:

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Was read a third time at length and passed.

Yeas 40; Nays 11.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bank	Fine	Marr	Sessions
Bassett	Graham	Mays	Shumate
Berryman (W)	Grayson	McLain	Smith
Blanton	Hain	Meade	Springer
Brassell	Haygood	Melton	Starnes
Collier	Hill	Merrill	Stubbs
Cook (Coffee)	Holman	Neville	Tuck
Dill	Jones	Owens (W)	Wood

—40

Nays:

Messrs.:	Crawford	Holladay	McElhaney
Burgreen	Garrett	Jackson (T)	Nettles
Cherner	Harris	Mathews	Pruitt

—11

MOTION TO BRING UP H. 1219

On motion of Mr. Dill, the rules were suspended and permission granted to bring up out of order the bill, H. 1219.

Yeas 45; Nays 6.

Yeas:

Messrs.:	Downing	Holman	Owens (W)
Berryman (W)	Ellis	Jackson (T)	Pennington
Blanton	Gafford	Jones	Perloff
Brannan	Gloor	Laxson	Robertson
Brassell	Graham	Marr	Sessions
Burgess	Grainger	Mays	Smith
Burgreen	Grayson	McCorquodale	Steagall
Cameron	Hain	McLain	Tuck
Collier	Harris	Melton	Wood
Collins (C)	Hill	Merrill	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Doss	Holladay		

—45

Nays:

Mr. Speaker	Garrett	Nettles	Neville
Fine	Lemley		

—6

And the bill:

H. 1219. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to examinations for establishing employment registers under the state merit system, so as to provide for a five point preference for persons permanently disabled in the performance of their duties as an employee under such state merit system.

Was read a third time at length and passed, and ordered sent forth-to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)
Agee	Dobbs	Jones	Paulk
Bank	Downing	Laxson	Pearson
Beck	Ellis	Lemley	Pennington
Berryman (W)	Fine	Malone	Perloff
Blanton	Gafford	Marr	Sessions
Brannan	Garrett	Mathews	Smith
Brassell	Gloor	Mays	Springer
Burgess	Graham	McCorquodale	Starnes
Burgreen	Grayson	McLain	Steagall
Cameron	Hain	Meade	Tuck
Cherner	Harris	Melton	Waggoner
Collier	Haygood	Merrill	Williams
Cook (Coffee)	Hill	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Yeilding
Crawford	Holman	Neville	

—63

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until 1:30 o'clock P. M. Thursday, August 21, 1969, was lost.

Yeas 33; Nays 36.

Yeas:

Mr. Speaker	Burgess	Dill	Fine
Agee	Burgreen	Dobbs	Gafford
Bank	Collier	Doss	Hain
Brassell	Collins (C)	Drake	Headley

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Malone	Melton	Pearson	Springer
Marr	Neville	Perloff	Steagall
Mathews	Owens (W)	Pruitt	Wood
Mays	Paulk	Shumate	Wright
McCorquodale			

—33

Nays:

Messrs.:	Downing	Holman	Pennington
Adwell	Ellis	House	Sessions
Berryman (W)	Garrett	Jones	Smith
Blanton	Grainger	Laxson	Starnes
Cameron	Grayson	McElhaney	Stembridge
Cherner	Harris	McLain	Stubbs
Cook (Coffee)	Haygood	Merrill	Tuck
Cook (Jefferson)	Hill	Money	Waggoner
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver			

—36

And the bill:

S. 339. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

Was read a third time at length and passed.

Yeas 61; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Agee	Downing	Laxson	Paulk
Berryman (W)	Drake	Lemley	Pearson
Blanton	Ellis	Malone	Perloff
Brannan	Fine	Marr	Sessions
Brassell	Gafford	Mathews	Smith
Burgess	Garrett	Mays	Springer
Burgreen	Gloor	McCorquodale	Starnes
Cameron	Grayson	McElhaney	Steagall
Cherner	Hain	Meade	Stembridge
Collier	Harris	Melton	Stubbs
Cook (Coffee)	Haygood	Merrill	Williams
Cook (Jefferson)	Headley	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holman	Neville	Yeilding
Dill			

—61

Nays: Messrs. Hill, Jones and Pruitt

—3

And the bill:

H. 1492. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Was taken up.

Mr. Stubbs offered the following substitute to the bill, H. 1492:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 201, H. 296, Regular Session 1955, An Act relating to public school administration (Acts 1955, p. 492), as amended, is amended further to read as follows:

"Section 8. Any other provisions of law notwithstanding, no child shall be compelled to attend any school when in the judgment of the parent or guardian of such child attendance in the school to which assigned will be detrimental to the physical or emotional health of such child or subject the child to hazards to personal safety. In any such case, the parent or guardian of such child shall file written objections with the local board of education and request transfer and reassignment to another school within the jurisdiction of such local board or to any school within the State of Alabama. If application for transfer and reassignment be made to a school in another school district or school system, the local superintendent shall forward such application for transfer and reassignment to the superintendent of education in such other school district or school system for acceptance or rejection. Such pupil seeking transfer and reassignment may be accepted under the provisions of Section 5 of the Alabama Pupil Placement Act. If the superintendent over such other school district or system shall refuse to admit such pupil, such superintendent shall thereupon advise the local superintendent of such fact, and shall return said application for transfer and reassignment to said local superintendent, and the same shall constitute a denial or refusal of a request for transfer and reassignment hereunder. Upon refusal of any board to grant such a request, the child shall proceed as provided in Section 7 of this Act, or in lieu thereof, submit an application to the State Board of Education for authorization to attend a private school. Any such application by such pupil shall be approved if the request is for transfer to a private school which is in operation at the time of application, or if the request is for transfer to a private school which has been incorporated under the laws of Alabama, provided such private school proposes to begin operation within ninety days of the time such application is made. Any such pupil, who has made application to attend a private school which is either in operation or proposes to be in operation within ninety days of the time of application, shall not be required to attend a public school prior to the opening of the private school named in such application. Any pupil making an application to attend a private school or proposed private school shall enclose with his application a certificate of acceptance from such private school or proposed private school."

Section 2. This Act is severable and any judicial decision which holds that any provision is unconstitutional shall not affect the part which remains.

Section 3. This Act shall become effective upon its approval by the Governor or otherwise becoming a law.

And the substitute was adopted.

Yeas 51; Nays 1.

Yeas:

Mr. Speaker
Adwell

Beck
Berryman (W)

Brannan
Burgess

Burgreen
Collier

Cook (Coffee)	Grayson	Mathews	Pearson
Cook (Jefferson)	Hain	Mays	Pennington
Crawford	Harris	McCorquodale	Robertson
Culver	Haygood	Meade	Sessions
Dill	Headley	Melton	Springer
Downing	Hill	Money	Steagall
Ellis	Hobbie	Nettles	Stembridge
Fine	Holman	Neville	Stubbs
Gafford	Jackson (T)	Owen (Baldwin)	Turnham
Garrett	Jones	Owens (W)	Waggoner
Graham	Lemley	Paulk	—51
Nay:	Mrs. Collins (C)		—1

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1492, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 7.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Adwell	Ellis	Jones	Paulk
Beck	Fine	Lemley	Pearson
Berryman (W)	Gafford	Malone	Pennington
Blanton	Garrett	Mathews	Pruitt
Brannan	Graham	Mays	Robertson
Brown	Grayson	McCorquodale	Sessions
Burgreen	Hain	Meade	Springer
Collier	Harris	Melton	Steagall
Cook (Coffee)	Haygood	Merrill	Stembridge
Cook (Jefferson)	Headley	Money	Stubbs
Crawford	Hill	Nettles	Tuck
Culver	Hobbie	Neville	Turnham
Dobbs	Holman	Owen (Baldwin)	Waggoner
			—56

Nays:

Messrs.:	Collins (C)	Grainger	Wood
Cherner	Dill	McLain	Yeilding
			—7

And the bill:

S. 518. To fix the compensation of circuit judges in Alabama; and to provide the method of payment and effective date thereof.

Was taken up.

Mr. Graham offered the following amendment to the bill, S. 518:

Amend Section 2 of Senate Bill 518 by striking Section 2 thereof and substitute therefor the following:

"This act shall not affect the compensation payable to any circuit judge by any county except Colbert County and the 31st judicial circuit as herein provide.

All general, special or local laws or parts of such laws applicable to such county and the 31st judicial circuit which provide for the payment of any salary or supplement to the salary of the circuit judges of said judicial circuit from the county general fund are hereby repealed."

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lemley	Pearson
Bassett	Doss	Malone	Pennington
Beck	Downing	Manley	Perloff
Berryman (W)	Drake	Marr	Robertson
Blanton	Ellis	Mays	Sessions
Brannan	Fine	McCorquodale	Smith
Brassell	Gafford	McElhaney	Springer
Brown	Garrett	McLain	Starnes
Burgess	Graham	Meade	Steagall
Burgreen	Grayson	Melton	Stembridge
Cameron	Hain	Money	Stubbs
Cherner	Harris	Nettles	Tuck
Collier	Headley	Neville	Turnham
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wood
Cook (Jefferson)	Holman	Owens (W)	Wright
Crawford	Jackson (T)	Paulk	Yeilding
Culver	Jones		

—66

And the bill, S. 518, as thus amended, was read a third time at length and passed.

Yeas 57; Nays 4.

Yeas:

Mr. Speaker	Doss	Malone	Paulk
Bassett	Downing	Manley	Pearson
Beck	Drake	Marr	Pennington
Berryman (W)	Ellis	Mathews	Perloff
Blanton	Fine	Mays	Sessions
Brannan	Garrett	McElhaney	Smith
Brassell	Graham	McLain	Springer
Burgess	Grayson	Melton	Starnes
Burgreen	Hain	Merrill	Steagall
Cameron	Harris	Money	Stembridge
Collier	Headley	Nettles	Tuck
Cook (Coffee)	Hobbie	Neville	Turnham
Crawford	Holman	Owen (Baldwin)	Wood
Culver	Jones	Owens (W)	Wright
Dobbs			

—57

Nays:

Messrs.:			
Dill	Gafford	Jackson (T)	Lemley

—4

MOTION TO ADJOURN LOST

The motion of Mr. Mathews that the House adjourn until 1:30 o'clock P. M. Thursday, August 21, 1969, was lost.

Yeas 31; Nays 34.

Yeas:

Messrs.:	Collins (W)	Jackson (T)	Neville
Bassett	Cook (Coffee)	Malone	Owens (W)
Blanton	Dill	Marr	Paulk
Brassell	Doss	Mathews	Perloff
Burgreen	Drake	Mays	Pruitt
Cherner	Gafford	McCorquodale	Steagall
Collier	Gloor	Melton	Wood
Collins (C)	Hain	Merrill	Wright

—31

Nays:

Messrs.:	Culver	Hill	Robertson
Agee	Downing	Holman	Sessions
Beck	Ellis	House	Smith
Berryman (W)	Garrett	Jones	Stembridge
Brannan	Graham	Manley	Stubbs
Brown	Grainger	McLain	Tuck
Cameron	Grayson	Money	Turnham
Cook (Jefferson)	Harris	Pearson	Waggoner
Crawford	Haygood	Pennington	

—34

And the bill:

H. 526. To authorize county or city boards of education to grant certain leaves to teachers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Money
Bassett	Dobbs	Jackson (T)	Nettles
Beck	Doss	Jones	Neville
Berryman (W)	Downing	Lemley	Owen (Baldwin)
Blanton	Ellis	Malone	Owens (W)
Brannan	Fine	Manley	Pearson
Brassell	Gafford	Marr	Sessions
Brown	Garrett	Mathews	Smith
Burgreen	Graham	Mays	Steagall
Cameron	Grainger	McCorquodale	Stembridge
Collier	Grayson	McElhaney	Tuck
Cook (Jefferson)	Hain	McLain	Turnham
Crawford	Harris	Melton	Yeilding
Culver	Headley		

—54

MOTION TO BRING UP H. 1427

On motion of Mr. Pennington, the rules were suspended and permission granted to bring up the bill, H. 1427.

Yeas 46; Nays 6.

Yeas:

Messrs.:	Brannan	Collier	Graham
Agee	Brassell	Dobbs	Grainger
Beck	Brown	Doss	Grayson
Berryman (W)	Burgreen	Downing	Hain
Blanton	Cameron	Fine	Harris

Headley	Mays	Paulk	Stubbs
Hill	McCorquodale	Pearson	Tuck
Hobbie	McLain	Pennington	Turnham
Jones	Meade	Perloff	Wood
Malone	Melton	Smith	Wright
Manley	Money	Springer	Yeilding
Marr	Owens (W)	Steagall	

—46

Nays:

Messrs.:	Cook (Jefferson)	Garrett	Nettles
Burgess	Ellis	Jackson (T)	

—6

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

McDOWELL LEE,
Secretary.

And the bill:

H. 1427 (with substitute). To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 39, Section 184 as amended is amended further to read as follows:

"Section 184. Sunday, Christmas day, New Year's day, Robert E. Lee's birthday, George Washington's birthday, Thomas Jefferson's birth-

day, Mardi Gras, Confederate Memorial day, Jefferson Davis' birthday, the Fourth day of July, Labor day, Columbus day and Fraternal day, Armistice day, and the day designated by the governor for public thanksgiving, shall each be deemed a holiday. If any holiday falls on Sunday, the Monday following is the holiday. The superintendent of banks, with the concurrence of not less than two members of the state banking board, may authorize any state bank to close on National Memorial Day, May 30, and on such other days as may be declared by the governor to be state holidays in honor of a special event. In the event any authorized state holiday falls on a Friday, the superintendent of banks may authorize the Saturday following that Friday to be a holiday. The superintendent may also authorize the closing of banks at 12:00 noon on the day prior to Christmas Day, and the day prior to New Year's day, if such days fall on business days."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Owens (W)
Agee	Doss	Jackson (T)	Paulk
Beck	Downing	Jones	Pearson
Berryman (W)	Edington	Lemley	Pennington
Blanton	Ellis	Malone	Perloff
Brannan	Fine	Manley	Sessions
Brassell	Gafford	Mays	Smith
Brown	Garrett	McCorquodale	Springer
Burgess	Graham	McElhaney	Steagall
Burgreen	Grainger	McLain	Stembridge
Cameron	Grayson	Meade	Stubbs
Collier	Hain	Melton	Tuck
Collins (C)	Harris	Merrill	Turnham
Cook (Jefferson)	Haygood	Money	Wood
Crawford	Headley	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill			

—65

And the bill, H. 1427, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 2.

Yeas:

Mr. Speaker	Crawford	Headley	Melton
Agee	Culver	Hill	Merrill
Beck	Dill	Hobbie	Money
Berryman (W)	Dobbs	Jones	Neville
Blanton	Doss	Lemley	Owen (Baldwin)
Brannan	Downing	Malone	Owens (W)
Brassell	Edington	Manley	Pearson
Brown	Ellis	Marr	Pennington
Burgess	Fine	Mathews	Perloff
Burgreen	Garrett	Mays	Sessions
Cameron	Grainger	McCorquodale	Smith
Collier	Hain	McElhaney	Springer
Collins (C)	Harris	McLain	Steagall
Cook (Jefferson)	Haygood	Meade	Stembridge

Stubbs	Turnham	Wright	Yeilding	
Tuck	Wood			—62
<i>Nays:</i>	Messrs. Grayson and Nettles			—2

ADJOURNMENT

On motion of Mr. Dill, the House adjourned until 1:30 o'clock P. M.
Thursday, August 21, 1969.

Yeas 42; Nays 30.

Yeas:

Messrs.:	Dill	Malone	Pearson	
Adwell	Dobbs	Manley	Perloff	
Agee	Doss	Mathews	Shumate	
Bank	Edington	Mays	Springer	
Blanton	Fine	McCorquodale	Steagall	
Brassell	Gafford	Melton	Tuck	
Burgreen	Gloor	Merrill	Turnham	
Collier	Hain	Nettles	Wood	
Collins (C)	Headley	Neville	Wright	
Collins (W)	Jackson (T)	Owens (W)	Yeilding	
Cook (Coffee)	Laxson	Paulk		—42

Nays:

Messrs.:	Culver	Haygood	Pennington	
Bassett	Downing	Hill	Robertson	
Beck	Ellis	Hobbie	Sessions	
Berryman (W)	Garrett	Holman	Smith	
Brown	Graham	House	Stembridge	
Cameron	Grainger	Marr	Stubbs	
Cook (Jefferson)	Grayson	McElhaney	Waggoner	
Crawford	Harris	Money		—30